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**SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY
OF THE ARMY ROBERT T. STEVENS, JOHN
G. ADAMS, H. STRUVE HENSEL AND SENATOR
JOE McCARTHY, ROY M. COHN, AND
FRANCIS P. CARR**

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE
EIGHTY-THIRD CONGRESS
SECOND SESSION
PURSUANT TO
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SPECIAL SENATE INVESTIGATION ON CHARGES AND
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ARMY ROBERT T. STEVENS, JOHN C. ADAMS, H. STRUVE
HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN,
AND FRANCIS P. CARR

MONDAY, JUNE 7, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10:15 a. m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; Charles Maner, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Joseph N. Welch, special counsel for the Army; and James D. St. Clair, special counsel for the Army.

Senator MUNDT. The committee will please come to order. We delayed momentarily because we just discovered that part of the evidence we want to read into the record is locked up in my safe in my office.

By the time we get through with our preliminary remarks—

Senator McCLELLAN. I can be questioning the man on the monitoring.

Senator MUNDT. The Chair would like to welcome our guests this pretty Monday morning and tell you that we are happy to have you as our guests, to attend these committee hearings, and to remind you of a standing committee rule which the Chair has repeated many, many times during these hearings. That rule is to the effect that there are to be no audible manifestations of approval or disapproval of any kind at any time during these hearings. To enforce the rule and maintain order, the uniformed officers that you see before you, and the plain clothesmen scattered through the audience have standing instructions from the committee to remove from the room immediately, politely and firmly, anyone who for reasons best known to

himself, might choose to violate the terms by which he entered the committee room, namely, that he refrain from audible manifestations of approval or disapproval.

Our audiences have been magnificent and your cooperation has been splendid. We resume this morning where we left off Friday afternoon, reading into the record the monitored calls that have become part of the evidence in this controversy.

And so we will ask Mr. Lucas, and his two associates to take the stand, and the first calls of the monitored calls that will be in evidence are those of Senator McClellan. That is pursuant to the agreement we made with Senator McClellan Friday afternoon, and he was called away shortly before the meeting ended.

So, whichever of the monitors covered Senator McClellan's calls, will take the stand at the witness table. Senator McClellan will begin by asking some preliminary questions, and by that time I am sure that the calls themselves will have come down from the office upstairs.

Senator McClellan.

**TESTIMONY OF JOHN J. LUCAS, JR., MRS. JANE R. PIKE, AND
THEODORE R. RHODES—Resumed**

Senator McCLELLAN. Mr. Rhodes, you have already been sworn and you have been testifying to certain calls, telephone calls that you monitored?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. Regarding this controversy?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. Did you monitor any calls of the Secretary of the Army made to me?

Mr. RHODES. Yes, sir; I did.

Senator McCLELLAN. How many?

Mr. RHODES. One, sir.

Senator McCLELLAN. I don't have a copy of them. How many have you altogether? Do you have two copies there?

Mr. RHODES. We only have one copy, sir.

Senator McCLELLAN. If I had a copy, we could proceed. You only monitored one?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. What date was it?

Mr. RHODES. The 20th of February, sir.

Senator McCLELLAN. February 20?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. Is that the first call that was monitored?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. What are the dates of the others that you have there?

Mr. RHODES. Mr. Lucas has one of March 1.

Senator McCLELLAN. March 1?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. What others do you have?

Mr. RHODES. That is all, sir.

Senator McCLELLAN. Well, I thought there were three of them, some—

Mr. WELCH. I think there are 3, and I think Mrs. Pike has 1.

Senator McCLELLAN. I want them by date so that I can present them in chronological order.

Mr. RHODES. February 21, Mrs. Pike had that one.

Senator McCLELLAN. That is February 21, and you monitored two, or which did you monitor?

Mr. RHODES. I monitored the one on February 20, sir.

Senator McCLELLAN. Mr. Rhodes, and who monitored the one on March 1?

Mr. RHODES. Mr. Lucas, sir.

Senator McCLELLAN. The other one was February what; was that the 21st, you say?

Mr. RHODES. Yes, sir; Mrs. Pike.

Senator McCLELLAN. That is Mrs. Pike?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. If you will arrange now to introduce them and testify to them in chronological order, I would appreciate it. Yours is February 20?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. I don't have a copy before me, but let's proceed. I don't know what is in it. On February 20, what call do you have?

Mr. RHODES (reading):

9:55—SA phoned Sen. John McClellan.

Senator McCLELLAN. The Secretary of the Army called me?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. What did he say?

Mr. RHODES (reading):

SA. I appreciated your time yesterday afternoon and I will tell you why I called this morning. When I found out what Senator McCarthy's address was, which I didn't find out until this morning—it happened to be the Ten Eyck Hotel in Albany—I telephoned him a few minutes ago, because I thought it was the fair and proper thing, that I should tell him that I had been up on the Hill and talked with you and other members of the committee yesterday afternoon and just what I said, and, of course, Senator McCarthy didn't like that at all and he hopped on me pretty hard, and I told him I was not going to let General Zwicker appear at that public hearing up there on Tuesday morning; maybe eventually we would have to produce him, but I was not going to let him go through again what he had gone through before.

Senator McCLELLAN. I wonder if he denied that statement?

SA.—

Senator McCLELLAN. Do you know what statement was referred to?

Mr. RHODES. I—

Senator McCLELLAN. What statement was referred to?

Mr. RHODES. I presume the statement of General Zwicker. I do not know, sir.

Senator McCLELLAN. All right. Proceed.

Mr. RHODES (reading):

SA. I have understood, John—I don't know whether this would tie in with your information—that it has all been stricken from the record.

Senator McCLELLAN. I can't get a copy until Monday, probably.

SA. I think you are going to find that out, but I have a statement on my desk this morning from General Zwicker—

Senator McCLELLAN. I couldn't get a copy of what until Monday, a transcript of the hearings?

Mr. RHODES. I presume so; yes, sir.

Senator McCLELLAN. All right, proceed.

Mr. RHODES (reading):

SA. I think you are going to find that out, but I have a statement on my desk this morning from General Zwicker, which covers all those statements and, as I told you, I think his Captain, a medical man, was with him and I can produce him.

Senator McCLELLAN. I tell you what we will do; we will find out the name of the reporter that took that and I will call him for an accurate transcript of what happened and what was stricken.

SA. I think that is very important.

Senator McCLELLAN. I don't know the name of the reporter, but I will find out who and I will call on him for an accurate transcript.

SA. Now, the Senator was—maybe to use the word "abusive" would be a little strong—he was very rough with me on the telephone and he said, "You mean, you are going to continue to cover up communists and not let these officers appear?" And I said, "You know, Joe, I wouldn't cover up a communist any more than you would." I am interested in doing the right kind of a job, but I am also interested in preserving the morale of our professional officer corps and I feel that is a duty I took on under my oath of office. He asked me if I would accept a subpoena for ten o'clock Tuesday morning and I said, "I will take that under advisement." He said, "Are you refusing the subpoena?" I said, "I am not refusing it, I am not accepting it. I will take it under advisement." Then he hung up the phone. He wouldn't go beyond that. He really batted me pretty hard and said I would learn that you couldn't operate that way, or something of that kind. As it stands now, John, he says that I am subpoenaed for ten o'clock Tuesday morning and, as I say, I have taken it under advisement. I want to talk to not only my counsel, but also various members of the committee to see what the best thing to do now is.

Senator McCLELLAN. I thought you were going to request appearance?

SA. I was in due time. I don't even know what committee it is. I presume it is the subcommittee, although he didn't say so. I am perfectly willing and delighted to appear before the committee, whatever is the appropriate time. I want to satisfy myself that Tuesday morning is the appropriate time.

Senator McCLELLAN. I would let it rest for the moment. You don't have the subpoena?

SA. I don't have it now.

Senator McCLELLAN. If you get one that is all right. To get ahead of the thing now, I would announce to the press that I was going to request the opportunity to appear.

SA. I think that is a good suggestion.

Senator McCLELLAN. Talk to your attorney about it. Say you are requesting to appear or the opportunity to appear.

SA. I think there is a lot of merit to that.

Senator McCLELLAN. Beat him to the punch. Talk to your counsel about that. Just announce that you definitely have requested the opportunity to appear.

SA. I think that has got a lot of merit.

Senator McCLELLAN. Just beat him to the punch.

Senator McCLELLAN. That was on February 20?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. The Secretary called me regarding the prospect of his appearing before the committee?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. It was after he had come to see me the day before?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. The conversation occurred at the time he was talking to all the Senators on the committee?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. Do you have another one? Who has the next one?

Mr. RHODES. Mrs. Pike, sir.

Senator McCLELLAN. You have already testified, haven't you, Mrs. Pike?

Mrs. PIKE. Yes, sir; I have.

Senator McCLELLAN. You have testified with respect to some other calls that you monitored?

Mrs. PIKE. Yes, sir.

Senator McCLELLAN. Do you have any call there from the Secretary of the Army to me, which you monitored?

Mrs. PIKE. I do.

Senator McCLELLAN. What is the date of it?

Mrs. PIKE. February 21, 1954.

Senator McCLELLAN. February 21, 1954?

Mrs. PIKE. That is right, sir.

Senator McCLELLAN. All right, will you read it, whatever it is?

Mrs. PIKE. The time is 5 p. m.

Senator McCLELLAN. Now, that is a call the Secretary made to me?

Mrs. PIKE. Yes, sir.

Senator McCLELLAN. That you monitored?

Mrs. PIKE. Yes, sir.

Senator McCLELLAN. All right, proceed.

Mrs. PIKE (reading):

S/A called Senator McClellan saying: Wanted to bring you up to date. You saw the publicity. I thought it was time to make a statement and tied to my name. I am issuing this afternoon a short statement telling the people I have told Zwicker not to appear and why. I go on to say if the permanent subcommittee calls upon me to appear before it, I will be glad to do so. Thus far I have not received any formal notification, which is a fact. Only thing I know is that McCarthy as he hung up on the phone said—you can consider yourself subpoenaed—and before I could ask where (he was in New York) he hung up. So I consider I have no formal notification. Put it in the public statement that I am not seeking or asking Committee to appear, but if they desire me to appear I will be only too glad to comply. On basis of some stuff in paper did not want it to appear I was asking to be heard I am willing to be heard if called but I certainly appreciate the way you and Stu and Senator Jackson have viewed this thing and the last thing I want to do is to muddy the waters like volunteering to appear when you gentlemen might have an idea of having this hearing deferred.

Senator McCLELLAN. At that time he had decided he didn't want to voluntarily appear, as I had suggested to him, did he?

Mrs. PIKE. It would seem so.

Senator McCLELLAN. Well, the day before you heard it; one read the day before where I suggested if he wanted to appear, to announce it, if he wanted to appear, didn't you?

Mrs. PIKE. Yes, sir.

Senator McCLELLAN. Now, he has changed his mind, and he says that he does want to do that.

Senator McCARTHY. Could I have that reread. I didn't so understand the passage, and I thought he was saying he was willing to appear. Will you read the last paragraph over.

Senator McCLELLAN. Read it.

Senator McCARTHY. He says, "I am willing to appear and willing to be called."

Senator McCLELLAN. "If called."

Mrs. PIKE (reading):

So I consider I have no formal notification, put it in the public statement that I am not seeking or asking committee to appear, but if they desire me to

appear I will be only too glad to comply. On basis of some stuff in paper, did not want it to appear that I was asking to be heard I am willing to be heard if called but I certainly appreciate the way you and Stu and Senator Jackson have viewed this thing and the last thing—

Senator McCARTHY. What is that?

Mrs. PIKE. "have viewed this thing."

Senator McCARTHY. "Have viewed this thing"?

Mrs. PIKE. That is right. [Reading:]

and the last thing I want to do is to muddy the waters like volunteering to appear when you gentlemen might have an idea of having this hearing deferred.

This will make unmistakably clear to everyone in the paper tomorrow morning that I am not asking to be heard but am available and willing to come at any time committee asks me to. Imagine this release which is getting into the hands of the press about now will bring forth some comment from Senator McCarthy but just what that will be remains to be seen. One point I make in the release is that I say—(read portions of release about thus far not been called, if called . . .)

And then he read portions of release—

but thus far not being called, and if called—

quoting from the press statement. [Reading:]

Because of the importance of this subject, hearing be open to press think it a matter of great importance and should be public

Sen. McClellan asked—you want a public hearing?

S/A said yes, and added—personally I would much rather have it deferred until Stu gets back because I know of his great interest and active part he would take. From my standpoint would like it deferred . . .

Sen. McClellan asked—what did Mundt say to you?

S/A answered—he was very much distressed over the quotes I gave him from Gen. Zwicker and I told him I was telling him not to appear. Talked along lines I talked with you. Mundt was highly distressed and anxious to see the record but noncommittal.

Sen. McClellan. have tried to take position . . . until I see the transcript.

There is something left out.

Senator McCLELLAN. I have tried not to take a position until I see the transcript?

Mrs. PIKE. There was a slight omission, and I have an indication of that.

Senator McCLELLAN. It doesn't make sense as it is?

Mrs. PIKE. No, sir, I will say. Let me read it again, then, sir. I missed some, picking up with, "have tried to take position," I missed some more, indicated by dots, "until I see the transcript. They said I could not get it until Monday which is probably true." [Reading:]

S/A said—I put this in statement, "I have asked Senator McCarthy to supply me with complete copy of original transcript as recorded"

Sen. McCLELLAN. did you say without any deletions? Did you put that in?

S/A I have released it but I will clear that up next time.

Sen. McCLELLAN—

Here again I missed some, sir, and I have indicated so with dots.

Sen. McCLELLAN— if it is not in there I will call the reporter and ask him to read them. Could the reporter destroy them?

S/A said—don't believe a reputable firm could. I have sworn affidavit with regard to this matter. I don't want to give this affidavit, obviously, to the press. The first time I am going to give it to anybody is to the committee.

That is all of that conversation.

Senator McCLELLAN. All of that conversation was a result of the Secretary calling me?

Mrs. PIKE. According to my notes, yes, sir.

Senator McCLELLAN. Do you have another one?

Mrs. PIKE. I do not.

Senator McCLELLAN. What date is that? Is that Sunday?

Mrs. PIKE. It is, sir.

Senator McCLELLAN. Did he call me at home or was I at the office?

Mrs. PIKE. If I made the note, I didn't put it down on my transcript, sir.

Senator McCLELLAN. All right, is that all you know, is that all you monitored?

Mrs. PIKE. That is all I did.

Senator McCLELLAN. All right. Now, the next one.

Mr. Lucas, you have been sworn and you have already testified to some other calls that you monitored?

Mr. LUCAS. Yes, sir.

Senator McCLELLAN. Do you have a call that you monitored in which I called Secretary Stevens?

Mr. LUCAS. Yes, sir.

Senator McCLELLAN. What is the date of it?

Mr. LUCAS. March 1, 1954.

Senator McCLELLAN. The time of the day?

Mr. LUCAS. 3:05 p. m.

Senator McCLELLAN. Do you have any other? Did you monitor any other calls?

Mr. LUCAS. No, sir.

Senator McCLELLAN. Then, if I understand the two that have preceded, in which the Secretary called me, and this call that you now are about to testify to, constitute all of the calls, either to or from the Secretary by me that were monitored?

Mr. LUCAS. Yes, sir.

Senator McCLELLAN. All right, proceed and place this call in the record.

Mr. LUCAS (reading):

McCLELLAN. I haven't gotten to see you around here lately.

STEVENS. I could use a lot of words but you know what I mean.

McCLELLAN. I never was so surprised when you got off over there in that gang without anybody with you. Of course, they told you they wanted to work things out.

STEVENS. That is about it.

McCLELLAN. My remarks are not critical. We were left out of it. I just had to take the position it was a Republican quarrel.

STEVENS. Uh huh.

Senator McCLELLAN. That was a pretty sound position, wasn't it?

All right, proceed.

Mr. LUCAS (reading):

McCLELLAN. I am going downstate this week-end . . .

Then I indicated by dots, it was something left out.

Senator McCLELLAN. Tell what the subject matter was that was left out?

Mr. LUCAS. I don't have it down here, sir, but I made a note on this transcript that—

(Nothing further in this conversation pertained to the McCarthy-Stevens-Monmouth matter.)

Senator McCLELLAN. Don't you know if you will read your notes that I called him about an ROTC unit for a college in my State?

Mr. LUCAS. I have a recollection that at some point sir, you did, and I suppose that would be it.

Senator McCLELLAN. I want you to be sure about it. Refer to your notes.

Mr. LUCAS. I will check it, sir.

Senator McCLELLAN. I know I called him about an ROTC unit in my State. He hadn't been to see me as he promised, and I started the conversation by saying, "Haven't been around here lately," and then you took down what he said?

Mr. LUCAS. Yes, sir.

Senator McCLELLAN. You left out the balance of it. Refer to your notes. I want you to be able to testify if I didn't call him about an ROTC unit in Bartlesville. That is my recollection, and I think you will find that is correct.

Mr. LUCAS. I know you did call him on that subject, sir.

Senator McCLELLAN. I did not call him on this subject. He brought up the subject himself; didn't he?

Mr. LUCAS. Yes, sir.

Senator McCLELLAN. That is all.

Mr. WELCH. Senator McClellan—Mr. Chairman.

Senator MUNDT. Mr. Welch?

Mr. WELCH. Would it be satisfactory to you, Senator, if we were to say to you our understanding is that you talked about the ROTC?

Senator McCLELLAN. It is satisfactory to me, because I know what I did. If anybody else is not satisfied, I want him to be able to substantiate it.

Mr. WELCH. Thank you, sir.

Senator McCLELLAN. Is there any question about it, Joe?

Senator MCCARTHY. Not about that. I would concede you called about that. I would like to ask the witness some questions when it gets to my turn.

Senator MUNDT. We will go around the clock in the regular order. Counsel Jenkins, have you any questions?

Mr. JENKINS. No questions, Mr. Chairman.

Senator MUNDT. I have no questions about Senator McClellan's calls. I would like to question Mr. Lucas on the general procedure. Am I to understand that the only notes you took on the call are those dealing with the so-called McCarthy controversy, or that you simply didn't transcribe the rest of Senator McClellan's call?

Mr. LUCAS. I simply didn't transcribe the rest of Senator McClellan's call, because it didn't seem to have anything to do—

Senator MUNDT. That was relevant. In your notebooks the full notes would be there of his calls?

Mr. LUCAS. Yes, sir.

Senator MUNDT. Senator Dirksen? Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. May I say to the Senator from Arkansas, our procedure has been, if you want to follow the same, the Senator has had his calls read—to let the press have them to make exact copies, and then they go to the reporter.

Senator McCLELLAN. Mr. Chairman, it has been testified to in the record now. They have been read into the record. But I have never had a copy of them. That is the only point I wanted to make.

Senator MUNDT. We can send them back to you. We have worked out an arrangement with the press so they can get them accurately, and then they go to the reporter, and he will see that they get back to Senator McClellan after that.

Senator JACKSON, do you have questions?

Senator JACKSON. No questions.

Senator MUNDT. Senator Symington? Senator Dirksen? Senator Dworshak? Mr. Welch? Senator McCarthy?

Senator McCARTHY. Will the Chair have my calls read next?

Senator MUNDT. We are ready for the next set of phone calls, which will be the phone calls, pursuant to our agreement, of Senator McCarthy. So whichever monitored the first call, chronologically, of Senator McCarthy—is that you, Mr. Lucas?

Senator McCarthy, you may take over.

Senator McCARTHY. I want my calls put in, and I want to raise a point in regard to one of the members of the committee. Would the Chair prefer that that be done now or later?

Senator MUNDT. The Chair would prefer to conclude, if he can, getting all the monitored calls in, because following you the Chair understands that Mr. Cohn wants his in, Mr. Carr wants his in, and Mr. Schine wants his in. We will try to conclude that, if we can, in one package. That would give us a more orderly record.

At this time if you will limit yourself to questions about your calls, that would be appreciated.

Senator McCARTHY. I have no serious objection to that. However, I want to make it clear that I will make two motions in regard to Mr. Symington and one in regard to Mr. Clark Clifford, but if the Chair prefers that that be done later, I will be glad to accede to the Chair.

Senator MUNDT. The Chair thinks it would be much better, in the interest of an orderly record, if we could complete the monitored phone calls first. Undoubtedly a motion would stir up some discussion.

Senator McCARTHY. Mr. Chairman, I would appreciate it if the counsel would read my monitored calls, all of them. There is one place where there are a number of dashes on one side of "Roy" and a couple of dashes on the other side indicating that conversation was omitted.

When we get to that point I would like to fill in what I recall that conversation to have been.

No. 2. Mr. Chairman, there is one sentence which I consider completely innocuous which should be left out. I wish it could be left out. It has to do with an individual who has not been named here yet. If there is any insistence that it be put in of course I would have no control over that.

Senator MUNDT. Unless some member of the committee insists that it go in, the Chair has no disposition to require it. He will let it be passed around to the committee members and let them make their determination.

Mr. JENKINS. Mr. Lucas, did you monitor certain telephone calls passing between the Secretary of the Army and Senator McCarthy?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of the first one?

Mr. LUCAS. November 7, 1953.

Mr. JENKINS. Do you have a copy of it before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Senator McCarthy, do I understand it is your desire that I read this?

Senator McCARTHY. That is correct.

Mr. JENKINS. Mr. Lucas, I will ask you whether or not the monitoring of that call is accurate or substantially so.

Mr. LUCAS. It is substantially so.

Mr. JENKINS. Does it in your opinion substantially convey the meaning of the conversation passing between Senator McCarthy and the Secretary of the Army?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you now refer to your monitored call of November 7 and follow my reading of it.

Mr. LUCAS. Yes, sir.

Mr. JENKINS. If I make an error, I will ask you to stop me and correct me.

Senator McCARTHY. Incidentally, do you have an extra copy of that any place?

Mr. JENKINS. Do you have two copies of that call, Mr. Lucas?

Mr. LUCAS. No, sir. I have just one.

Mr. JENKINS. You have only the one.

7 November 1953—12:19 p. m. —Senator McCARTHY phoned Sec. STEVENS:

SEN. Bob, did that work out all right to your satisfaction yesterday?

SA. Yes, it did, Joe. And I appreciate your taking a very broad view of the thing.

SEN. We both have the same interest, and we both are working at the same job.

SA. I was worried at first, but the way it wound up I was satisfied with it, and I want to thank you.

SEN. I would like to ask you one personal favor. For God's sake, don't put Dave in Service and assign him back to my committee. From three standpoints: One, I couldn't get away with any more than a week. The newspapers would be back on us, and you would have to send him back into uniform anyway. Two: This thing has been running along so cleanly so far they have not been able to beat your brains out. There is nothing the left-wingers would like better. They don't like this cooperation between the committee and the Army. And the third thing, they would say I asked for him. He is a good boy, but there is nothing indispensable about him. From my desk today I can pick up letters from perhaps a half-dozen letters from mothers whose boys are in worse shape than Dave; and it would be embarrassing if held to me * * *

Senator McCarthy has now marked this sentence and desires me to pass this to the committee for the purpose of getting their consent to delete that particular sentence, as well as one in the next paragraph that is underscored.

Senator McCARTHY. I think, Ray, you are asking to delete more than a sentence there. Just the one line which is farther down.

Senator MUNDT. Counsel will proceed.

Mr. JENKINS. Reading on, Mr. Chairman:

. . . If he could get off week-ends—

Senator McCARTHY. Make it clear, Mr. Jenkins, that is not the part I want to delete.

Mr. JENKINS. I understand now. It was my error. This is not the part that Senator McCarthy wanted deleted. [Reading:]

. . . If he could get off week-ends—Roy—it is one of the few things I have seen him completely unreasonable . . .

Senator McCARTHY. I wonder there, Mr. Counsel, if you could question the witness whether or not the dashes before the name "Roy" and after the name "Roy" means deletion. If so, I would like to add what my recollection of the deletion there was.

Mr. JENKINS. Mr. Lucas, permit me to read this sentence again, please, and ask you a question about it.

"If he could get off week-ends"—Two dashes, is that right?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What does that indicate, Mr. Lucas?

Mr. LUCAS. It indicates a pause.

Mr. JENKINS. A pause?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Does it not indicate that you perhaps have left out a word or a phrase?

Mr. LUCAS. No, sir.

Mr. JENKINS. Reading it again:

If he could get off week-ends—Roy——

Is that right?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

It is one of the few things I have seen him completely unreasonable about. He thinks Dave should be a general and work from the penthouse of the Waldorf.

Senator McCARTHY. Could I ask the witness—where you make dashes, the other day I thought you testified that meant you had deleted material.

Mr. LUCAS. I believe I testified that what I did do was to use dots to indicate that I did not take down all the material that was said or was unable to take down all that was said.

Senator McCARTHY. The sentence as it is doesn't seem to make sense, and I wonder if those dashes meant that you had eliminated material? I recall definitely that you have.

Mr. LUCAS. No, sir; that is not my method of doing it. What I believe is the fact here is that you started to say a sentence, and then changed your mind in midstream and went on with a different sentence.

Senator McCARTHY. In other words, you claim that is an absolutely verbatim transcript to that point?

Mr. LUCAS. To the best of my ability, yes, sir.

Senator McCARTHY. Mr. Counsel, I would like to say that to the best of my recollection, the dashes there apparently indicate conversation which we had, and I was discussing with the Secretary the fact that Roy and I differed as to whether or not it would be necessary for Dave to work on these reports every weekend. I thought if he could get off some weekends to work on the reports, it would be sufficient, but that Roy felt as long as he was not in training, in view of the urgency of getting the reports up for the new Congress convening, that he should be able to work at all times when he wasn't in training. But I have nothing further to say on that.

Senator SYMINGTON. Mr. Chairman, I was talking to you, and would the counsel repeat the last part in order that I can understand it?

Mr. JENKINS. The last sentence, you mean?

Senator SYMINGTON. Yes.

Mr. JENKINS. "He thinks Dave should be a general and work from the penthouse of the Waldorf." That is the last sentence that I have read.

Senator SYMINGTON. What is the discussion about? I haven't got a copy of the record.

Mr. JENKINS. Yes, Senator. The discussion, of course, is with reference to whether or not this boy should be allowed certain——

Senator SYMINGTON. I thought there was something that the Senator from Wisconsin talked about with respect to something being eliminated.

Mr. JENKINS. In reading this sentence, there are two dashes at the end of the word "weekend," and Senator McCarthy takes the position that that indicated that certain words had been deleted, according to his recollection. The witness says that it indicates a pause and not the deletion of any words.

Senator SYMINGTON. Thank you, Counsel.

Mr. JENKINS. Reading further:

SA. That is where my problem has come from, right from the start. You never have done or said anything that spurred me on this situation at all, other than to take a friendly interest.

SEN. . . . Take that into consideration and ask that he be immediately assigned. Roy was next to quitting the committee. He thought I had gone back on the committee. And for God's sake don't tell——

and as I understand it, all of the members of this subcommittee have agreed that I shall delete that name, is that correct?

Senator SYMINGTON. That is correct as far as I am concerned.

Mr. JENKINS (reading):

And for God's sake don't tell —— anything of this because he would go right back and tell Roy.

SA. ——

Senator McCLELLAN. Mr. Chairman, that name is deleted, and I think that you should explain, because it is something not involved in this controversy and it is none of the principals and no witness or anyone else. I think it is only fair, so it wouldn't cast any suspicion upon anyone else, that the committee—this fellow, as I understand it, is altogether on the outside of this whole controversy, and for that reason the committee agrees that there is no point in bringing his name in here.

Senator MUNDT. His name is in no way connected with the committee or the staff or the controversy; just an innocent bystander.

Mr. JENKINS. I might further add that the deletion of this name, and the meaning of this call, is in no wise altered or changed whatever.

Senator McCLELLAN. That is right.

Mr. JENKINS (reading):

SA. I would rather not tell anybody anything. And as far as what you have said, I am not going to do anything except to have him go through the regular thing—maybe a weekend here or there, or something of that kind. Actually on the 2-week thing, I said I had personally arranged this thing because I wanted him to be available to help your committee get along further with this thing. That is the way the thing was done——

Mr. LUCAS. There were some dots there before the "That"; I put some dots.

Mr. JENKINS. I leave the dots out.

Senator MUNDT. The Chair believes you should leave the dots in, because it is hard for the reporter to get it otherwise, and hard for the reporters in the room.

Mr. JENKINS (reading) :

Actually on the 2-week thing, I said I had personally arranged this thing because I wanted him to be available to help your committee get along further with this thing. . . .

Is that correct, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

That is the way the thing was done, and I felt that was the proper way to handle it. I think I know what you mean, and I will handle it in the proper way along the lines you have been talking about.

SEN. If you put him into service to work with the committee, all "the devil" would break loose—

That is about right, isn't it, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

and the President would be calling you not to play favorites because anyone is on a committee. I think for Roy's sake if you can let him come back for week-ends or something so his girls won't get too lonesome—maybe if they shave his hair off, he won't want to come back.

SA. I will take care of it and I appreciate your whole attitude on it yesterday.

Have I correctly read it, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. I will now ask you whether or not you monitored another call, passing between the Secretary of the Army and Senator McCarthy, or other calls? Is that correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of the next one?

Mr. LUCAS. 14 January 1954.

Mr. JENKINS. Do you have a copy of it before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Was that call correctly monitored?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. I will now read it and ask you to follow me, Mr. Lucas. [Reading:]

14 January 1954, 2:43 p. m., Sen. McCARTHY returned SEC. STEVENS' call:

STEVENS. I want to thank you first of all for that marvelous cheese you and Jeannie—we are most grateful to you. Joe, I am going to the Far East on Sunday, and I would like, if you can, to have you work me in somewhere on your schedule, and I don't care much when. I would like to have a little visit.

McCARTHY. Any time this afternoon would be O. K. because I am leaving tonight to go to Boston, and I will be gone

Is that correct, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

At 3 I have a meeting of the full committee on my budget. After that I will be perfectly free.

STEVENS. How long will that meeting probably last?

McCARTHY. I expect quite a squabble over there.

STEVENS. It would be in or out of order to "have refreshments with you"?

Is that substantially correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

McCARTHY. I would favor that very much.

STEVENS. Shall we go to the regular place or somewhere else?

McCARTHY. Why don't you drop over here about 5 and we will go across the street "and have refreshments together"?

Is that substantially correct, Mr. Lucas?

Mr. LUCAS. Yes, sir.

I wrote some dots down there after that, and indicated that the appointment was firmed, and I did not take notes on it.

Mr. JENKINS. Mr. Lucas, are there other calls that have passed between the Secretary of the Army and Senator McCarthy which have been monitored by you?

Mr. LUCAS. No, sir; not by me.

Mr. JENKINS. I will ask you to stand aside, or rather, exchange seats with Mr. Rhodes.

Mr. Rhodes, please state whether or not you monitored a telephone call passing between the Secretary of the Army and Senator McCarthy?

Mr. RHODES. Yes, sir.

Mr. JENKINS. How many?

Mr. RHODES. One, sir.

Mr. JENKINS. The date of it, please, sir?

Mr. RHODES. 20 February 1954.

Mr. JENKINS. Have you correctly monitored it?

Mr. RHODES. Yes, sir, with just one exception, sir. The time on here is 10 a. m., and I checked—I had doubt about it over the weekend, and I checked with the telephone records of the Pentagon, and it was initiated at 9:30 in the morning, and took about 5 minutes to get the call there.

Mr. JENKINS. With that exception, is it a correct transcript of that telephone call, Mr. Rhodes?

Mr. RHODES. Yes, sir.

Mr. JENKINS. Do you have a copy of it before you?

Mr. RHODES. Yes, sir, I do.

Mr. JENKINS. I will ask you to follow me, Mr. Rhodes. Senator McCarthy has asked me to read it into the record, and after I shall have finished reading it, then state whether or not it has been correctly read. Will you do so?

Mr. RHODES. Yes, sir.

Mr. JENKINS (reading):

20 February 1954—10:00 a. m.—SA's call to Senator McCarthy

Mr. STEVENS. I will tell you why I am calling you. I didn't find out until late last night where you were staying to tell you that I went over yesterday on the Hill and called on the various members of your subcommittee, any of them that happened to be over there, and that included Senators Dirksen, Potter, Mundt, McClellan and Symington, because I was—

Senator SYMINGTON. I didn't hear that. You are reading a little fast. Would you repeat that slowly so that I can understand it?

Mr. JENKINS. I thought the chief complaint against me was that I read too slowly, and now you say I am reading too fast.

Senator SYMINGTON. Mr. Jenkins, I think that you are a great reader, and I just didn't understand it, and would you repeat it?

Mr. JENKINS (reading) :

that included Senators Dirksen, Potter, Mundt, McClellan and Symington, because I was so upset by the reports I had—

Senator SYMINGTON. I am very sorry to interrupt you, but I didn't get that. Will you start at the first sentence and read the whole sentence? Your voice is a little lower today.

Mr. JENKINS. I beg your pardon. Maybe my voice is lower, and maybe your hearing is failing a little.

Senator SYMINGTON. I wouldn't be a bit surprised, and if it is, will you please help me? Thank you.

Mr. JENKINS (reading) :

Mr. STEVENS. I will tell you why I am calling you. I didn't find out until late last night where you were staying to tell you that I went over yesterday on the Hill and called on the various members of your subcommittee, any of them that happened to be over there, and that included Senators Dirksen, Potter, Mundt, McClellan and Symington, because I was so upset by the reports I had on the executive appearance of General Zwicker, and what Zwicker's reaction to it was, that I just feel in fairness to the officer corps of the Army I had to do something about it.

Senator SYMINGTON. Thank you.

Mr. JENKINS (reading) :

Senator McCARTHY. I think the best thing you can do is not to follow in the old tradition of the previous administration. I think you have got a wonderful opportunity here, Robert, to either set the course for a house cleaning, take the position that the Congress knows about traitors no matter where they are; the other, of course, is to try to cover up, as has gone on before. That will be impossible, I will guarantee you. I have had a most insulting session with the general, I have got the letter which I am sure you didn't write—

Mr. STEVENS. I was completely in on that letter, Joe. That letter was a result of careful consideration right here in my office. In fact, I took it home and worked on it one evening.

Senator McCARTHY. There is something radically wrong with the advice you had on that and tell you that the commissioning of Communists was an order against discrimination because of political beliefs, that is jargon. You don't recognize that.

Mr. STEVENS. That is exactly what has been used in referring to this type of thing, Joe.

Senator McCARTHY. Let me ask you this: is it your position that you are going to try to keep from us the names of the officers who protected these men?

Mr. STEVENS. I am going to try to prevent my officers from going before your committee, until you and I have an understanding as to the abuse they are going to get.

Senator McCARTHY. You will not protect them from going before our committee, you are not going to be in a position to keep us from calling them in or not.

Mr. STEVENS. You and I can debate this thing, but I don't want to make outstanding officers like General Zwicker with a fine record, decorated some 10 or 12 times—

It looks like two dashes, Mr. Rhodes.

Mr. RHODES. It looks like an interjection there by Senator McCarthy, I believe.

Mr. JENKINS. Then a dash. [Reading:]

Senator McCARTHY. You are not going to order them not to appear before my committee? Just go ahead and try it, Robert. I am going to kick the brains out of anyone who protects Communists. If that is the policy of you, you just go ahead and do it. I will guarantee you that you will live to regret it.

Is that correct, Mr. Rhodes?

Mr. RHODES. Yes, sir.

Mr. JENKINS (reading) :

There is no reason why this new administration should protect——

Mr. STEVENS. Joe, you know——

Senator McCARTHY. Let me finish; this is your time, I didn't call you. If this new administration of the Army is going to try to protect the hangovers from the old, that in turn protected Communists, the people will know about it, and I will guarantee you, Bob, that you will learn before you are through that instead of protecting Communists, you should be helping us uncover them. I don't give—I don't care.

How is that?

whether an officer is a general or what he is, when he comes before us with the ignorant, stupid, insulting aspect of those who appeared, I will guarantee you that the American people will know all about it.

Is that substantially correct, Mr. Rhodes?

Mr. RHODES. Yes, sir.

Mr. JENKINS (continuing):

Mr. STEVENS. That is certainly your complete right and privilege and let me assure you, and you know it just as well as I do, that I have no intention of covering up any Communists or anything like that.

Senator McCARTHY. That is exactly what the Army is doing now. You are trying to tell us that you can't, won't tell us who is protecting this Communist major. If you have nothing to hide——

Mr. STEVENS. I have absolutely nothing to hide, 100 percent.

Senator McCARTHY. Let me get this straight, then, Bob; you are not only refusing to tell us who was responsible for the promotion, the honorable discharge of this man, you are calling me this morning to tell me you are going to order officers of the Army not to come before our committee, and I understand yesterday you went to see each member of the committee. Did you tell them that?

Mr. STEVENS. Yes, I told them I was not going to let Zwicker appear on Tuesday. I am not going to say that I——

Senator McCARTHY. Would you consider yourself subpoenaed for 10 o'clock Tuesday morning?

Mr. STEVENS. I will take that under advisement.

Senator McCARTHY. If you don't want to appear, all right. I am telling the press that you have been told to appear. If you decide not to, we will take steps from there on. I am all through with this covering up of Communists. I am sorry Bob Stevens is one that is doing it, too.

(At this point, Senator McCarthy hung up the phone.)

Has that been correctly read?

Mr. RHODES. Yes, sir.

Mr. JENKINS. Are there any other telephone calls that you know of, Mr. Rhodes, having passed between the Secretary of the Army and Senator McCarthy, which have been monitored?

Mr. RHODES. None monitored by myself, sir.

Mr. JENKINS. Mrs. Pike, while you are sitting where you are, you can hear me, I am sure: Do you have any monitored telephone calls between the Secretary of the Army and Senator McCarthy?

Mrs. PIKE. No, sir; I do not.

Mr. JENKINS. That concludes the reading of Senator McCarthy's calls, Mr. Chairman.

Senator McCARTHY. Mr. Chairman, Mr. Dave Schine has, I believe, a total of one call with Secretary Stevens, a call made from Mr. Stevens to Mr. Schine. I asked Mr. Schine to be here this morning—I believe counsel asked him to be here—so that he might consent to have his call read in. I believe——

Mr. JENKINS. I am ready to call him now.

Senator MUNDT. We will be perfectly happy to call Private Schine next, after we have questions on Senator McCarthy's calls. We are ready for the runaround now.

Mr. JENKINS. I have no questions to ask.

Senator MUNDT. The Chair has only one.

Mr. Rhodes and Mrs. Pike and Mr. Lucas, do I understand that those are all of the calls now that were monitored from Senator McCarthy, and there are no others?

Mr. RHODES. That is right, sir.

Senator MUNDT. That is correct.

I have no other questions.

Senator McClellan?

Senator McCLELLAN. I want to ask only one question which I want to ask each of you. I think I overlooked it. Were the monitored calls of mine placed in the record without any deletions whatsoever?

Each of you answer, please.

Mr. RHODES. Yes, sir.

Mrs. PIKE. Yes, sir.

Senator McCLELLAN. How about you, Mr. Lucas?

Mr. LUCAS. Yes, sir; except that one that was mentioned.

Senator McCLELLAN. You didn't delete anything. You just didn't include it. I mean you didn't include the conversation about the other matter, but as far as you read, there were no deletions?

Mr. LUCAS. Correct.

Senator McCLELLAN. Will you get the record on the remainder of it?

Mr. LUCAS. Yes, sir.

Senator MUNDT. Senator Jackson, any questions?

Senator JACKSON. I assume that each of the witnesses swears to the conversations read by the counsel in each and every instance?

Mr. JENKINS. Senator Jackson, I asked that specific question whether or not I had correctly read the call. That was specifically asked and the answer was in the affirmative in each instance.

Senator JACKSON. That applies to all calls, is that correct, that have been read to date?

Mr. JENKINS. Yes.

Senator MUNDT. I think we have to go through certain ceremonies concerning Senator Dirksen's call yet, and otherwise it is all done.

Senator POTTER. I have no questions.

Senator SYMINGTON. Mr. Chairman, based on the question that was asked by Senator McClellan, I would like to ask Mr. Rhodes: There were two words deleted yesterday from my testimony, or Friday rather, I beg your pardon—one of the words I think that you might have taken down wrong, and I asked that it be deleted, and the second word was deleted at the suggestion of the counsel, is that correct?

Mr. RHODES. Yes, sir.

Mr. JENKINS. It in no wise changed the meaning of the conversation whatever, that was made perfectly clear, and you agree that that is correct, do you not?

Mr. RHODES. Yes, sir.

Senator SYMINGTON. Thank you.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. I have no questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. I have no questions.

Senator MUNDT. Senator McCarthy?

Senator McCARTHY. I have just one question. There were some indications in the press yesterday that in giving these monitored calls to the press I had made some deletions, and I am afraid that while I know Senator McClellan had no such intention, he was questioned about there being no deletions of his call may have created the impression that there were deletions in these calls. Is it correct that the only deletions in all of my calls, was the name of the individual where I said, "Don't tell blank." That is all.

Mr. RHODES. It was not my call.

Senator MUNDT. Mr. Lucas, can you answer that question?

Mr. RHODES. He said that is right.

Senator McCARTHY. So that these calls are complete with the exception of what you may not have gotten, as you monitored them, and the only thing that I asked you to delete was the name of one man who had nothing to do whatsoever with this committee; is that correct?

Mr. RHODES. Yes, sir.

Senator McCLELLAN. My only purpose was, I wanted to know that mine were all in, except that last part, which absolutely was not relevant to this controversy, and the subsequent matter I called about, and I do want that confirmed by evidence that the call was about something else.

Senator MUNDT. Private Schine, if you are in the room, you may sit at the committee table temporarily, while we read your call into the record, so that you will have the same status and right as a principal during this particular ceremony.

Which of you folks monitored Private Schine's call?

Mr. RHODES. Mr. Lucas.

Senator MUNDT. Was it you, Mr. Lucas?

Mr. LUCAS. I am sorry, sir; I didn't hear the question.

Senator MUNDT. I am trying to find out which of you monitored Private Schine's call?

Mr. LUCAS. I did, sir.

Senator MUNDT. Is there just one call?

Mr. LUCAS. Yes, sir.

Senator MUNDT. One call monitored by you or one call monitored or made altogether?

Mr. LUCAS. There was only one call made altogether, and I monitored it, sir.

Senator MUNDT. Will you give us the date of that call?

Mr. LUCAS. October 21, 1953.

Senator MUNDT. And the hour of the day?

Mr. LUCAS. 9:22 a. m.

Senator MUNDT. And the same preliminary questions, I presume, will be answered by you in the same manner, that this is a complete total factual reproduction of the call as nearly verbatim as you were able to make it?

Mr. LUCAS. Yes, sir.

Senator MUNDT. And of which you were not able to capture all of the words but in which you interjected no words that were not said?

Mr. LUCAS. Yes, sir.

Senator MUNDT. All right, Counsel Jenkins, if you have the call, you may read it.

Private Schine, as this testimony is being read into the record, you have the right at the conclusion of it to do as the other members

have done, if there is some statement you want to make, or put an interpretation on an omission or deletion, you have the right to ask the witness questions.

Mr. WELCH. Mr. Chairman, I had assumed that Messrs. Schine and Cohn and Carr would sign a consent to the admission of the telephone calls and I think the form of their consent is unimportant, but I take it Messrs. Schine and Cohn who are present will confirm orally in the record that their consent to the admission of the calls is now done.

Senator MUNDT. Do you now confirm your agreement to have this phone call read into the record?

Private SCHINE. I do, sir.

Mr. WELCH. And Mr. Cohn, I gather, also, do you concur and you agree to have your phone calls?

Mr. COHN. Yes, I confirm the fact that those calls submitted in compliance with the subpoena to Mr. Jenkins which have been displayed to me as the telephone calls with me, may be admitted into the record.

Senator MUNDT. Are you in position to do the same for Mr. Carr?

Mr. COHN. Yes, sir.

Senator MUNDT. Is that satisfactory, Mr. Welch?

Mr. WELCH. Yes.

Mr. JENKINS. Mr. Lucas, state whether or not you monitored a telephone call going between the Secretary of the Army, Mr. Stevens and G. David Schine?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of that call, Mr. Lucas?

Mr. LUCAS. 21 October 1953, 9:22 a. m.

Mr. JENKINS. For the benefit of the record, Mr. Lucas, you understand that at that time that Mr. Schine was a private citizen and not an inductee in the Army?

Mr. LUCAS. Yes, sir, I understand that.

Mr. JENKINS. Mr. Lucas, do I understand that Mr. Schine wants me to read this into the record?

Private SCHINE. If you please, sir.

Mr. JENKINS. Mr. Lucas, do you have a copy of that monitoring of the call before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. You transcribed it yourself?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Is it correct or substantially so?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. I will now read it, Mr. Lucas, and ask you to follow me and point out any discrepancies there may be between your copy and the copy which has been delivered to me.

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

Secretary Stevens called to David Schine at Murray Hill 8-0110, from his office in the Pentagon, 21 October, 1953, 9:22 a. m.

Reached Murray Hill 8-0110, Secretary Stevens called him, Dave, is that right? [Reading:]

SCHINE. I am sorry I missed you yesterday.

STEVENS. I thought you were coming down.

SCHINE. I was all set to go and the pilot told me at the last minute that the fog wouldn't permit the plane to take off.

STEVENS. In New York?

SCHINE. Yes, sir. They told me a fog sets in over Governors Island practically every day and sometimes it clears and sometimes it doesn't.

STEVENS. While it was a little hazy in Monmouth, it was perfectly all right for the flight. I would rather have talked with you in person than to have called you on the 'phone, but since I didn't get you in person, and I am about to leave on a quick trip to California, I wanted to call you and tell you I have reviewed this whole situation with Mr. Wilson and it adds up to this: Neither he nor I can see an appropriate way to avoid the basic training. We feel that is almost a must, in the situation as it now exists, and after going over the situation three times now, insofar as you are concerned, it is Mr. Wilson's and my conviction that that is the wise thing to do, Dave, and that having done that, then I think there is an excellent chance that we can pick you up and use you in a way that would be useful to the country and to yourself. Just what that would be I don't know. I can't define it now because I haven't gotten to that point, but there is something on my mind and one that I would make every effort to carry out. I personally would like to arrange it in such a way that you would come into this Army or military establishment in such a way that you could use the knowledge and ability you have in certain fields. But I won't discuss it over the phone. But that is the net of it. I had a good visit with Mr. Wilson. We discussed it at considerable length, and we both felt that it would be a big mistake to attempt in any way to do anything until you had taken the basic training. Then we feel our hands are free to make some kind of a plan that would work out satisfactorily for you and for the Government and for everybody.

SCHINE. I am certainly happy to know you have talked it over with Mr. Wilson, and that you are both thinking about it.

STEVENS. We are.

SCHINE. Now you are going to California?

STEVENS. I will be back here on Monday.

SCHINE. Where are you going to in California?

STEVENS. I will be all over the place. I am going first to talk to the National Guard Association in San Diego, tomorrow morning, and then I am going probably to San Francisco tomorrow afternoon. I would put it this way: If you would like to get hold of me, if you would call this office, they will be able to tell you just how to do it.

SCHINE. Probably Colonel BeLieu?

STEVENS. Colonel BeLieu will be here, and he will know exactly how to get hold of me, and I will be delighted to hear from you at any time.

SCHINE. You are not going to Los Angeles?

STEVENS. No, I am going to San Diego and I am going to overflight Los Angeles.

SCHINE. I hope you will have a nice trip and we will probably have to talk this over at greater length some time.

STEVENS. If you come down, I will be delighted to see you.

SCHINE. Probably the hearings will be shaping up in such a way that you will want to sit in on some of them.

STEVENS. Possibly so. I will either come up there or if you are down here we will talk it over further.

SCHINE. I will maybe talk to you when you get back from the West.

Did I or not correctly read that conversation, Mr. Lucas, as you have it transcribed?

Mr. LUCAS. At the beginning, Secretary Stevens returned the call of David Schine, reached at the same Murray Hill number.

Mr. JENKINS. That is not on my copy. Let me read it the way I have again and then you correct it. You are talking about the heading now, the subject?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Secretary Stevens called David Schine at Murray Hill 8-0110 from his office in the Pentagon, 21 October 1953, 9:22 a. m. That is the way I read it the first time, I am sure; is that correct?

Mr. LUCAS. I believe that is the way you read it the first time.

Mr. JENKINS. And is it different in your transcription?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you read your transcription now, Mr. Lucas?
Mr. LUCAS (reading) :

21 October 1953, 9:22 a. m. Sec. Stevens returned call of David Schine (reached Mr. Schine at NYC, Murray Hill 8-0110).

Mr. JENKINS. In all other respects, Mr. Lucas, are the transcriptions identical or are there other corrections?

Mr. LUCAS. In the long paragraph by Mr. Stevens, about nine lines down, I have, "It is my honest conviction," and I believe you read something about Mr. Wilson.

Mr. JENKINS. I read it just the way it is here, Senator. Mr. Lucas, I didn't follow you. Is that on page 1?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. The conversation of Mr. Stevens, nine lines down?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you read it the way you have it?

Mr. LUCAS (reading) :

And after going over the situation three times now insofar as you are concerned it is my honest conviction—et cetera.

Mr. JENKINS. I have it and I read it, "It is Mr. Wilson's and my conviction."

Mr. LUCAS. Yes, sir.

Mr. JENKINS. You have it "It is my honest conviction," is that correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. You may proceed. In other respects is it correct?

Mr. LUCAS. Sir, the others were very minor, "would" and "could" or "will" and "would".

Mr. JENKINS. Which in no wise would change the meaning.

Mr. LUCAS. No, sir.

Mr. JENKINS. I will ask the chairman and any other Senators who desire to look at the heading of the document from which I read to confirm the fact that I read it correctly. Is that correct, Mr. Chairman?

Mr. WELCH. Mr. Chairman.

Senator JACKSON. Would the counsel state where this copy came from?

Mr. WELCH. Mr. Chairman, if I could?

Senator MUNDT. Mr. Welch.

Mr. WELCH. I think, Mr. Jenkins, you will agree with me that the copy you have read was taken by dictation over the telephone.

Mr. JENKINS. Mr. Welch, I am going to ascertain that fact now. Frankly, I do not know.

Mr. WELCH. Not by telephone, I am sorry. But it was taken by dictation, and I think obviously the correct copy of the telephone call is the one in front of the witness from which he has made corrections in yours. My suggestion, Mr. Jenkins, would be that copies of the monitored call as appearing before Mr. Lucas in his file should be submitted to the committee rather than to try to deal with your copy which, while the errors aren't serious, is somewhat different.

Mr. JENKINS. Let me clear it up just a little further, Mr. Welch. I agree entirely with your suggestion.

Mr. Cohn, you represent Mr. Schine, I am sure, do you not?

MR. COHN. I don't know about that, sir, but I would like to address myself to this call.

MR. JENKINS. That is what I am asking you to do.

MR. COHN. If I could get a limited retainer for those purposes, yes, sir.

MR. JENKINS. I understand from what I hear in view of Mr. Schine's financial condition, it would be very limited.

SENATOR McCLELLAN. A point of order, Mr. Chairman. In order to clear it up.

SENATOR MUNDT. Senator McClellan.

SENATOR McCLELLAN. In order to clear it up, the witness has testified that his copy there is the correct copy. I just suggest that by unanimous consent it be printed in the record at this point as the authentic copy.

MR. COHN. I consent to that, Mr. Chairman.

MR. JENKINS. I would like to know from Mr. Cohn what his version is. There are one or two minor discrepancies.

MR. COHN. I think there is one at the very beginning. It is this: I think Mr. Lucas is trying to create the impression here that Mr. Schine called Mr. Stevens instead of the other way around.

When Mr. Lucas was with Mr. Horwitz of your staff and myself and Mr. Schine and a stenographer from our office, who I have on the way up to the room, he stated it was very clear from the call that Mr. Stevens had called Schine and not vice versa. In fact, I have had a bet with Mr. St. Clair of Mr. Welch's staff about that, and I believe I won the bet.

In the course of the call, Mr. Jenkins, Mr. Stevens said, "I wanted to call you." In other words, Stevens wanted to call Schine and tell him, and so on and so forth. So it is very clear from the text of the call that it was Stevens who called Schine. I think that is right there in the text, quote: "I wanted to call you," and tell you, so and so forth. I think that point should be clearly established.

MR. JENKINS. Isn't that a matter of argument, Mr. Cohn, and a matter of interpretation, to be passed on by the committee ultimately?

MR. WELCH. Mr. Chairman, I think the witness has a comment that is in order on it, if Mr. Jenkins would ask for that.

MR. JENKINS. In view of Mr. Cohn's statement, I think the witness is entitled to make any statement he desires to make.

Do you desire to make one, Mr. Lucas?

MR. LUCAS. Yes, sir. While my notebook does not say that Secretary Stevens, that is, my shorthand notes, do not say that Secretary Stevens was returning Mr. Schine's call; I have looked it up. Mr. Schine called Secretary Stevens on October 19 at 1:47 p. m., and did not speak. He left an operator's number, 398, New York City, with this calling number that is on here.

MR. COHN. May I ask Mr. Lucas some questions, please?

SENATOR MUNDT. We will get around to your 10 minutes in due course as we go around the table.

MR. JENKINS. I have no further questions to ask Mr. Lucas, Mr. Chairman.

SENATOR MUNDT. The Chair has none. Senator McClellan?

SENATOR McCLELLAN. All I want to ascertain is whether the document which the witness swears to has now been made a part of the record. I suggested that.

Mr. JENKINS. Senator McClellan, that has now become a part of the record.

Senator MUNDT. Very well.

(The matter referred to is as follows:)

21 October, 9:22 a. m., Sec. Stevens returned call of David Schine (reached Mr. Schine at NYC, Murray Hill 8-0110).

SCHINE. I am sorry I missed you yesterday.

STEVENS. I thought you were coming down.

Mr. SCHINE. I was all set to go and the pilot told me at the last minute that the fog wouldn't permit the plane to take off.

STEVENS. In New York?

SCHINE. Yes. They told me the fog sets in over Governors Island practically every day and sometimes it clears and sometimes it doesn't.

STEVENS. While there was a little in Monmouth, it was perfectly all right for flying. I would rather have talked with you in person than to have called you on the phone; but since I didn't get you in person and I am about to leave on a quick trip to California, I wanted to call you and tell you I have reviewed this whole situation with Mr. Wilson; and it adds up to this: Neither he nor I can see an appropriate way to avoid the basic training. We feel that is almost a must in the situation as it exists. And after going over the situation three times now insofar as you are concerned, it is my honest conviction that that is the wise thing to do, Dave; and having done that, then I think there is an excellent chance that we can pick you up and use you in a way that would be useful to the country and to yourself. Just what that would be, I don't know. I can't define it now because I haven't gotten to that point. But it is something on my mind and one that I would make every effort to carry out. I personally would like to arrange it in such a way that you would come into this Army or Military Establishment in such a way that you would use the knowledge and ability you have in certain fields, but I won't discuss it over the phone—but that is the net of it. I had a good visit with Mr. Wilson. We discussed it at considerable length, and we both felt it would be a big mistake to attempt in any way to do anything unless you had taken the basic training; then we feel our hands are free to make some kind of a plan that would work out satisfactorily for you and for the Government and for everybody.

SCHINE. I am certainly happy to know you have talked it over with Mr. Wilson and that you are both thinking about it.

Now you are going to California?

STEVENS. I will be back here on Monday.

SCHINE. Where are you going to in California?

STEVENS. I will be all over the place. I am going first to talk to the National Guard Association in San Diego tomorrow morning, and then I am going probably to San Francisco tomorrow afternoon. I would put it this way: if you would like to get a hold of me—if you will call this office, they will be able to tell you just how to do it.

SCHINE. Probably Colonel BeLieu.

STEVENS. Colonel BeLieu will be here, and he will know exactly how to get a hold of me, and I will be delighted to hear from you at any time.

SCHINE. You are not going to Los Angeles?

STEVENS. No, I am going to San Diego, and I am going to over-fly Los Angeles.

SCHINE. I hope you will have a nice trip, and we will probably have to talk this over at greater length sometime.

STEVENS. If you come down, I will be delighted to see you.

SCHINE. And probably the hearing will be shaping up in such a way that you will want to sit in on some of them.

STEVENS. Possibly so. I will either come up there or if they are down here, we will talk it over further.

SCHINE. I will maybe talk to you when you get back from the West.

Senator MUNDT. Senator Dirksen is not here.

Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Potter?

Senator POTTER. No questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Chairman, I don't believe Mr. Cohn's position is well taken. Either Mr. Schine did call before Mr. Stevens called or he didn't, and I think the record should be made very clear on that, the telephone record.

Senator MUNDT. As the Chair understands it, Mr. Lucas says that 2 days prior to that he had a note on his pad that Mr. Shine called, and that the current notebook on this particular call does not indicate who initiated the call. Is the Chair's understanding correct, Mr. Lucas?

Mr. LUCAS. Senator, when a call comes in for the Secretary and he is not there and someone asks that he call him, that the Secretary call him back, I write a little note to the Secretary and tell him about that. I have found that note and also I have checked with the telephone slips, so and so, and there is a notation that Mr. Schine called Mr. Stevens and left word on that date, October 19, at 1:47.

Senator MUNDT. The instant call is what, October 21?

Mr. LUCAS. Yes, sir.

Senator MUNDT. October 21.

Senator JACKSON. Might I ask this one question?

Senator MUNDT. Yes, Senator Jackson.

Senator JACKSON. Would you be good enough to supply for the record the official—are there official notes—with reference to the telephone calls?

Mr. LUCAS. It is a regular Government or Department slip, a blue informal memorandum slip.

Senator JACKSON. I think it would be appropriate if there is any question about it. In view of the fact that there is a dispute, Mr. Chairman, I think a photostatic copy of that should be included in the record at this point. And any other pertinent notes of statements made at that time, contemporaneous with the event.

Could that be done?

Mr. LUCAS. Yes, sir.

Senator MUNDT. O. K. That will be done.

Senator Dworshak?

Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Now, Mr. Cohn.

First, I want to ask Mr. Schine, do you have any questions or is Mr. Cohn representing you here?

Mr. SCHINE. Mr. Cohn is not representing me, but at this time I have no questions, sir.

Senator MUNDT. Very well. You may proceed, Mr. Cohn.

Senator McCARTHY. I have some questions first, Mr. Chairman.

Mr. Lucas, you said you took what you have out of your file; is that right?

Mr. LUCAS. I don't know what you are referring to.

Senator McCARTHY. Do you have a copy of this phone call with the note?

You say you took it out of your files?

Mr. LUCAS. Are you referring to the little blue memorandum that I mentioned, sir?

Senator McCARTHY. I am referring to the phone call from Stevens to Schine.

Mr. LUCAS. Yes, sir. There is a little blue informal interoffice memo saying Mr. Schine called Mr. Stevens.

Senator McCARTHY. How does your copy differ from the copy that Mr. Jenkins read from?

Mr. LUCAS. In the heading, sir.

Senator McCARTHY. Could I see that?

What date did you dictate the memorandum, the monitored call from which Mr. Jenkins read?

Mr. LUCAS. I don't remember the date, sir.

Senator McCARTHY. You don't recall the date?

Mr. LUCAS. No, sir.

Senator McCARTHY. Do you recall what date you typed up the document you handed to me?

Mr. LUCAS. In March sometime, sir.

Senator McCARTHY. It was considerably after you dictated the one to Mr. Jenkins' office?

In other words, first you dictated a memorandum to Mr. Jenkins' office. Later on you typed up another copy and put it in the files, is that right?

Mr. LUCAS. No, sir.

Senator McCARTHY. What is the time difference?

Mr. LUCAS. Well, on the informal memo—that was done on the 19th of October when Mr. Schine phoned for Secretary Stevens.

Senator McCARTHY. What were you dictating to Mr. Jenkins' office from, from your shorthand notes or from the document which you handed me?

Mr. LUCAS. I wrote that transcript, and that was submitted to Mr. Horwitz.

Senator McCARTHY. Do you understand the question, Mr. Lucas? No. 1 you dictated this memorandum over the telephone to Mr. Jenkins' office, is that right?

Mr. LUCAS. No, sir. The only dictating I did to Mrs. Mims was with Mr. Schine there. Mr. Schine, as I recall, asked if he couldn't have a copy of that and we didn't seem to have one available, so I read from my notes to Mrs. Mims, with Mr. Schine there, at the time that the transcripts were turned over to Mr. Horwitz.

Senator McCARTHY. At some time you turned over to Mr. Horwitz the document from which Mr. Jenkins read; is that right?

Mr. LUCAS. Yes, sir—No. I never turned that over to Mr. Horwitz.

Senator McCARTHY. Who did you turn it over to?

Mr. LUCAS. To no one.

Senator McCARTHY. How did Mr. Jenkins get it?

Mr. LUCAS. I don't know whether he ever got it until this occasion. Evidently what he has is what Mrs. Mims wrote.

Senator McCARTHY. Then we get back to the fact that you dictated this to Mrs. Mims?

Mr. LUCAS. Yes, sir.

Senator McCARTHY. That is what I started out with. I asked you if this had been dictated to Mrs. Mims. I asked you whether it had been dictated from your shorthand notes at that time or not. We are back to that point.

Now, can you answer that question?

Mr. LUCAS. Yes, sir; I did dictate from my shorthand notes.

Senator McCARTHY. From your shorthand notes?

Mr. LUCAS. Yes, sir.

Senator McCARTHY. Later at that time, was the document which you now hand me in existence?

Mr. LUCAS. Yes, sir; but we didn't have it in hand then.

Senator McCARTHY. All right. Isn't it a fact, Mr. Lucas, that you learned that Mr. Cohn and Mr. St. Clair had considerable discussion about whether Mr. Stevens made this call or Mr. Schine did, and that after you learned of that you then changed it? Originally it says "Secretary Stevens called," and called him "Dave." Now we find you give us a memorandum "Secretary Stevens returned call of David Schine."

Isn't it a fact that this document which you handed me was prepared after you learned of the discussion between Mr. Cohn and Mr. St. Clair about the significance of whether or not Mr. Stevens called or Mr. Schine called?

Mr. LUCAS. No, sir; it was not prepared after the time that I dictated to Mrs. Mims. It was prepared before then.

Senator McCARTHY. Have you got your shorthand notes with you?

Mr. LUCAS. No, sir; I don't.

Senator McCARTHY. I am going to ask the Chair to order the witness to produce the shorthand notes, if he will.

Senator MUNDT. I think the shorthand notes were produced, were they not, at the time the monitored calls were produced? It is my understanding we got the notes and the calls.

Mr. JENKINS. Mr. Chairman, Mr. Horwitz, who handled this matter personally, advises me that these facts occurred: In the presence of Mr. Cohn representing Senator McCarthy and Mr. Cohn and Mr. Carr, in the presence of Mr. Horwitz representing my staff, Mr. Lucas had his original notes with him. He read his original notes at that time. They conformed to the notes that I have and from which I read.

There was some considerable discussion between Mr. Cohn, as I understand it, and Mr. St. Clair. Mr. St. Clair was present. Mr. Horwitz advises me that Mr. Cohn's position, in all fairness, is correct insofar as the document from which I read is concerned.

It would appear, Mr. Chairman, that after the notes were read to the gentlemen whose names have been mentioned, Mr. Lucas went back to the Pentagon, in all probability, and looked up and took into your possession other notes on the 10th. Am I right about that?

Mr. LUCAS. Yes, sir; a little blue memorandum.

Mr. JENKINS. It was from the information which you gathered from your notes of the 19th, as well as the notes that you read to Mr. Horwitz, Mr. St. Clair, and Mr. Cohn, that you compiled the document from which you read? I believe that is probably correct. Is or not that right, Mr. St. Clair?

Mr. ST. CLAIR. I am sorry, I didn't hear your last remark.

Senator MUNDT. The reporter will read the question.

(The record was read by the reporter as above recorded.)

Mr. ST. CLAIR. I would say substantially, yes, Mr. Jenkins. My memory of the situation is this: We presented all of the notebooks of Mr. Lucas and they were marked by Mr. Horwitz. He initialed and dated, I believe. Then came the question about whether or not we could obtain consent to make these available to you, and at that

time Mr. Cohn and Mr. Carr were there and that is all that we had expected would be there. Naturally, we did not expect Mr. Schine would be there, and we did not bring the transcript of his talk along. Mr. Schine, it turned out, was in the Senate Office Building and was available to a phone call and I believe Mr. Cohn called him and he came up to the room and signed the consent about which I have said. Whereupon, all we had there were the notebooks and I did not have the transcriptions with me because I did not anticipate Private Schine would be there.

My memory of it and I am sure Mr. Lucas will either correct me if I am wrong or confirm it if I am right, that he sat down and dictated from his notes to Mrs. Mims, and I believe that must be then the copy that you have. No request was made for a transcript and I believe it is my understanding that your committee was satisfied with the transcript you have in your hand. I will say that the transcript that has been read from by Mr. Lucas was in existence before I even came to Washington. We just didn't have it with us in the Senate Office Building that day because we did not anticipate that Private Schine would then be available to consent to it. He was there, and so we did the next best thing, namely, read the notes.

Mr. JENKINS. Mr. Chairman, that seems to be—I hope it is—a satisfactory explanation.

Senator McCARTHY. May I proceed? I was interrupted in my 10 minutes. Mr. Lucas, do you find anything in your notebook of the 21st to indicate that Mr. Stevens was returning a call to Dave Schine?

Mr. LUCAS. Not in the stenographic notes, not in the stenographic notebooks on that call, on the page where that call was. As I recall—I don't remember.

Senator McCARTHY. Just yes or no?

Mr. LUCAS. In the notebook, I have no way of knowing.

Senator McCARTHY. Does Mr. Horwitz have that notebook? Do you have the original notes?

Mr. HORWITZ. I don't have them; they are in the possession of the Army and they have been identified.

Senator McCARTHY. Will you produce that notebook?

Mr. LUCAS. Yes, sir.

Senator McCARTHY. This afternoon?

Mr. LUCAS. I will try, sir.

Senator McCARTHY. Will it be difficult?

Mr. LUCAS. I will have it here, sir.

Senator McCARTHY. Could you have it here by 1:30 so that we can go over it before the session at 2 o'clock?

Mr. LUCAS. Yes, sir, if I can.

Senator McCARTHY. I am going to call your attention, Mr. Lucas, to language in this, and ask you if this doesn't indicate positively that this was no return of a call but rather an original call: Starting now in the middle of the page,

Mr. STEVENS. While it was a little hazy in Monmouth, it was perfectly all right for the flight.

He is referring to the flight of the 20th, then, do you know that?

Mr. LUCAS. Yes, sir, I believe that is so.

Senator McCARTHY (reading):

I would rather have talked with you in person than to have called you on the phone, but since I didn't get you in person, and I am about to leave on a quick trip to California, I wanted to call you and tell you—

Doesn't that make it very clear, that Mr. Stevens was making the call?

Mr. LUCAS. Yes, sir.

Senator McCARTHY. Now, when you picked up something on the 19th and transposed that to the 21st, after you had dictated the original notes, did you then know that Mr. Schine had made a call to Mr. Stevens for the purpose of talking about the trip to Monmouth, that we made the trip to Monmouth the following day, and that we freely discussed practically everything with Mr. Stevens on that trip to Monmouth; so that this was not a return of a phone call? Are you aware of those facts?

Mr. LUCAS. Well, some of them. What is the question, sir? It is a long thing.

Senator McCARTHY. We will start over. At the time that you picked up the notations from the 19th, did you inquire of anyone as to why that phone call was made?

Mr. LUCAS. I don't understand. At the time I picked up the notation of the 19th?

Senator McCARTHY. Yes, when you took that and inserted that on the 21st?

Mr. LUCAS. I still don't understand the question, sir.

Senator McCARTHY. Now, you say you thought Mr. Stevens on the 21st was returning a call of the 19th, is that right?

Mr. LUCAS. When I made this transcript that I made, I wrote down that Secretary Stevens returned the call of David Schine.

Senator McCARTHY. Will you tell us this: What made you change your mind, after you dictated the original document, from your notes, saying that Secretary Stevens called, and called him "Dave." What made you change that to your next document in which you say, "Secretary Stevens returned call of David Schine." What made you change your mind?

Mr. LUCAS. Sir, your question has turned the timing of the two transcripts around. This transcript that I followed here today is the one that I first made. The other one is a result of my having dictated to Mrs. Mims at a later point.

Senator McCARTHY. Let me call your attention to certain testimony and I want to ask you if you are aware of this before this second document was prepared. The testimony of Secretary Stevens on April 23:

When was your next contact with the staff?

STEVENS. Well, David Schine called me up on the 21st of October. I think that is the next day.

Question. And what was said to you on that occasion by David Schine?

Answer. Well, David Schine still, I think, harbored the hope, shall we say, that he should do some special jobs of investigations rather than—

Was there anything in this to indicate that Dave was calling Bob Stevens on the 21st, harboring the hope that he could get some job or was it a case of Stevens calling Schine saying, "We have arranged a berth for you to fit in with your ability."

Which is it?

Senator MUNDT. The Senator's time has expired, and you may answer the question.

Mr. LUCAS. That is another long question, and I am sorry, I couldn't follow it. What do you mean by "is there anything?"

Senator MUNDT. You will have to wait until the next time, because the time has expired and, Mr. Jenkins, will you go ahead?

Mr. JENKINS. I have no questions.

Senator MUNDT. The Chair has none. Senator McClellan? Senator Potter? Senator Jackson?

Senator JACKSON. I have one question.

After you dictated to Mrs. Mims the notes from your shorthand notes, the transcripts of this telephone conversation of October 21, did you then read the typed copy that she prepared?

Mr. LUCAS. No, sir; I have never seen the one that Mrs. Mims prepared. I dictated it, and then I understand that—I heard it read here.

Senator JACKSON. You understand it is a very simple question. You dictated it to her, and then after she typed it out, did you then read the typewritten copy?

Mr. LUCAS. No, sir; I have never seen that typewritten copy.

Senator JACKSON. So that after you dictated it, you did not see it again until you heard the transcription read by the counsel of the committee at this hearing this morning?

Mr. LUCAS. That is correct. The next time was, I heard it here.

Senator JACKSON. Let me ask you this further question: Can you say whether you dictated to her the caption as it appears in the copy before you, the one that you said that you had transcribed earlier?

Mr. LUCAS. I don't believe I dictated that Secretary Stevens called Mr. Schine. I am a little hazy on that, and I don't recall.

Senator JACKSON. You don't recall one way or the other?

Mr. LUCAS. I happen to recall that I did call attention to the fact that I wrote down "Dave" in the notebook, simply indicating Mr. Stevens called him "Dave," and I do that occasionally, and it isn't exactly what Mr. Stevens said, but in case the Secretary in writing a letter may want to know how to address a letter, "Dear So-and-So," and I would have it there, and it is——

Senator JACKSON. Your notes show that he said "Dave," and you just automatically added "Schine" on it?

Mr. LUCAS. No. I wrote "Dave," but I had down Secretary Stevens placed the call to Mr. Schine, I believe, and I am not sure.

Senator JACKSON. I think this is kind of important, Mr. Lucas. Can you say whether or not you dictated to Mrs. Mims that Secretary Stevens returned Mr. Schine's call?

Mr. LUCAS. I just don't remember, sir.

Senator JACKSON. You have no recollection of that, and you didn't read the copy after it was transcribed?

Mr. LUCAS. No, sir; I did not.

Senator JACKSON. That is all.

Senator POTTER. Mr. Chairman, I wonder if I could ask a question.

I want to refer back to a few questions. You stated, Mr. Lucas, that it came to your attention from a memorandum that Private Schine had called Mr. Stevens on the 19th. Now, do you file memoranda of that kind?

Mr. LUCAS. Yes, sir.

Senator POTTER. When did you prepare your transcript that you vouched for on the stand?

Mr. LUCAS. Sometime in March, and it was long before I turned these transcripts over.

Senator POTTER. Was it attached to your notebook, or how did you happen to recall that memorandum?

Mr. LUCAS. I had a large stack of memos in my desk, sir.

Senator POTTER. Did you go through all of your calls to determine whether it was a returned call or whether it was the initial call? Were the other calls that you have testified to here?

Mr. LUCAS. Well, I got those either from my stenographic notebooks or from the summaries that were read.

Senator POTTER. Now, does your stenographic notebook designate that it was a returned call?

Mr. LUCAS. As I recall now, sir, it doesn't designate. My impression is that it could very well have simply a time, and maybe "Schine" or "Dave Schine," or something of that sort, with no particular details.

Senator POTTER. The handling of the telephone is a very fast-moving thing, and sometimes the conversation has started and you don't have time to write out all of the details.

Senator POTTER. I can appreciate that, but I was just curious to know how you handled your memorandums. I know in my office, if a return call comes in one day, and I can't return the call until the next day, it is left on my desk; and after I return the call, I destroy the memorandum. And I was wondering if the same thing applied in your office.

Mr. LUCAS. That same sort of thing applies. On the 19th, the way this must have happened, I would write a note to the Secretary saying that Mr. Schine called such-and-such a time, and wanted a return call; and down at the bottom lefthand corner I would indicate how to get the operator, and how to make the return call, so that if I am not there, whoever gets that memo from the Secretary would know how to do it.

Senator POTTER. There would be no record of it in your stenographic book, is that correct, even on the 19th? Would there be a record of it?

Mr. LUCAS. There could or could not be a record of it, and it may be that our phone operator, after the call came in, might have given me a little blue slip, or something, saying that Mr. Schine called; or I might have been there. If I was on the phone taking down the information, it would be in my notebook, and if I did not happen to be there when that original incoming call came in, why, somebody else may have told me about it or given me a slip of paper. But then, from whatever source I have, then I would write a little blue inter-office memo to the Secretary. I found such a blue interoffice memo.

I also checked with a phone record at one of our switchboards, and found out that Mr. Schine did—I didn't have the time, incidentally, on this blue memo, the 1:47 p. m., but I found out from the other record that that was the time that Mr. Schine called, and left word, and he did not speak. He just called and left word that he wanted a return call.

Senator POTTER. Do you know of your own knowledge whether there was a return call, or whether it was a call that the Secretary initiated on possibly another subject?

Mr. LUCAS. Well, the Secretary would not always be likely to say "Return the call of Mr. Schine." He probably would say "Get Mr. Schine," and let it go at that. He wouldn't make a point of whether he was returning a man's call or calling him.

Senator MUNDT. Would the Senator yield? I wonder if you couldn't resolve this argument, which seems to be over a pretty small point, by your getting your original shorthand notes; and certainly at the beginning of the conversation, Mr. Stevens, if it was a return call probably said, "I am returning your call," or he would say "I am calling you up," and you didn't type out necessarily the felicitations or cordialities that preceded conversations. If you look at that, you may find in your shorthand book whether it was a return call or not.

Mr. LUCAS. I don't take them down in shorthand.

Senator JACKSON. Also, the slip that was made at the time, I understand that is available, is that right?

Mr. LUCAS. Yes, sir.

Senator JACKSON. That was made contemporaneous with the call?

Mr. LUCAS. Yes, sir.

Senator JACKSON. That is in the file?

Mr. LUCAS. Yes, sir.

Senator MUNDT. You mean you have a second slip, one made on the 19th and one on the 21st?

Mr. LUCAS. No, sir. There is a slip for the 19th telling the Secretary that Mr. Schine called and wanted a return call on it, and on the 21st, Mr. Stevens probably said, "Get Schine."

Mr. JENKINS. I think I have a formula that will settle this hassle over the wording of the caption of the respective documents immediately.

Mr. Horwitz was present. He has a remarkable memory for details. I think he can explain it to the satisfaction of Mr. St. Clair, Mr. Cohn, and the public generally. Whether, Mr. Chairman, in obedience to a demand of the public that Mr. Horwitz be on television, I now want the pleasure of introducing Mr. Horwitz and letting him explain this.

Senator MUNDT. The Chair has said for some time that he would have to swear Mr. Horwitz. He is the only member of the staff who hasn't been sworn. We would be happy for him to take his turn.

Senator McCARTHY. Just so there is no misunderstanding, while I think it is a good thing to put Mr. Horwitz on the stand, I will want Mr. Lucas here because there is something very rotten——

Senator MUNDT. We are dismissing Mr. Lucas temporarily.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HORWITZ. I do, sir.

TESTIMONY OF SOL HORWITZ

Senator MUNDT. Now, Mr. Horwitz, you may proceed to tell us in your own way what you recall of the meeting at which time Mr. Lucas dictated the phone call that he monitored between Mr. Schine and Mr. Stevens.

Mr. HORWITZ. The only fact that I do not recall exactly in this transaction is the exact date that it took place. It took place either on the first Tuesday or the second Tuesday of May. We went up following the hearings to room 457 in this building. There were pres-

ent myself, representing the committee, Mr. Welch, Mr. St. Clair, representing the Department of the Army; Mr. Cohn was there, representing Senator McCarthy and his staff.

At the very beginning Mr. Welch raised the question whether disclosing the call to me at this point was not a violation of section 605 of title 47. After some discussion we arranged for a limited consent to be given in which the parties would consent that these calls be shown to me for transmission to Mr. Jenkins and for no other purpose at that time.

This document was signed by Mr. Welch on behalf of the Department of the—Mr. Stevens and Mr. Adams, and was signed by Cohn on behalf of Senator McCarthy, Mr. Carr, and himself.

At that point the notebooks and certain transcripts were made available to me and to Mr. Cohn, who were present.

While we were examining those documents Mr. Cohn raised the question was there no call between Mr. Schine and Secretary Stevens. Mr. Lucas said there was, but there was no transcript present at the time. Mr. Cohn said that if we brought Mr. Schine down and he gave his consent, would that call be read to Mr. Schine?

Mr. Cohn then called for Mr. Schine, who came in about 10 minutes later. Mr. Schine when he came in read the limited consent and signed the limited consent.

Before the thing was read—I want to go back for a moment—while we were waiting for Mr. Schine to come, a discussion arose with respect to this call, in which Mr. Cohn said, “I will bet Mr. Stevens called Mr. Schine,” and Mr. St. Clair said, “No; Mr. Schine called Mr. Stevens.”

At this point they were bantering back and forth about that point, and I got up there and said that in no event will I be the stakeholder on this. That is the story about this momentous conversation.

Mr. Schine came. Mr. Lucas sat down with his notebook and started to read. The opening words of the call, as I remembered them, are, “Secretary Stevens called Mr. Schine.” There was something about the word “Dave,” and then it said something about being called at another number other than the one that they originally called.

I remember that word, and then Mr. Cohn turned to me and said, “See, I was right.”

Mr. Lucas then read the rest of the call. Following that, Mr. Cohn then asked Mr. St. Clair whether it would be possible if they brought up a secretary to have the call redictated so that Mr. Schine would have a copy. When I said to Mr. Cohn—I don’t remember whether it was Mr. Cohn or Mr. Schine, because they were together. Mrs. Mims was sent for, and she came up, and I was not present while the dictation went on. I was busy examining the notebooks and other documents.

That is the story as I recall it.

Senator MURK. Thank you very much, Mr. Horwitz.

May the Chair inquire of Mr. Lucas and Mr. St. Clair, who were also present, whether the recital which you have just heard is in conformity with what you recall having taken place?

Mr. Lucas, you are under oath. I will ask you first.

TESTIMONY OF JOHN J. LUCAS, JR.—Resumed

Mr. LUCAS. Yes, sir.

Senator MUNDT. Mr. St. Clair? The Chair may have to swear you if you disagree. If you agree and there is no controversy, I suppose there is no reason of going through the ceremony of swearing another witness. If there is some conflict on this, I suppose it will have to be sworn testimony.

Mr. ST. CLAIR. Mr. Chairman, I am doing my best to think back. I made no notes. I didn't anticipate we would have any trouble. As a matter of fact, I thought we got along admirably well considering the circumstances. I suppose it appears that I made some form of wager. If I did, I have never paid off, nor have I collected. I will say this—

Senator MUNDT. The Chair understands it was a suggested wager, but it didn't actually take place.

Mr. ST. CLAIR. That is correct. The only thing I would like to say concerning Mr. Horwitz' statement—I think it is accurate. I think I would add that I persisted in my view as to what the order of the telephone calls were. I think Mr. Cohn in all fairness persisted in his view, however.

Senator MUNDT. Very well. So his recital of what took place is accurate. That is the only point I wish to establish.

Mr. ST. CLAIR. That is correct. I wouldn't quarrel with it.

Senator MUNDT. There is no need to swear you as an additional witness. I have no further questions.

Senator McClellan?

Senator McCLELLAN. None.

Senator MUNDT. Any Senators to my right?

Any Senators to my left?

Senator JACKSON. Mr. Chairman.

Senator MUNDT. Senator Jackson.

Senator JACKSON. I think the matter certainly could be resolved very simply to find out whether Mr. Schine called on the 19th and whether the Secretary in effect returned his call. We all get telephone calls. Sometimes we call back on the operator number and maybe the call is lost so you call the number direct. I think we are spending a lot of time here on something that could be resolved very simply.

Mr. Lucas, as I understand your testimony, your records disclose that a call was made to the Secretary by Mr. Schine on the 19th of October and that your records in your office show that.

Mr. LUCAS. Yes, sir.

Senator JACKSON. Is that correct?

And an operator number was left?

Mr. LUCAS. Yes, sir.

Senator JACKSON. And a telephone number?

Mr. LUCAS. Yes, sir.

Senator JACKSON. Operator such and such, New York, telephone number so and so. Was that it?

Mr. LUCAS. Yes, sir.

Senator JACKSON. Mr. Chairman, I don't know if that point is disputed—

Mr. COHN. I have a good deal to say about that, sir.

Senator JACKSON. That is the crux of the thing. I think we should get to the heart and have it over with.

Mr. ST. CLAIR. Mr. Chairman—

Senator MUNDT. We come to you next, Mr. Welch or Mr. St. Clair.

Mr. ST. CLAIR. Then I will take part of the 10 minutes in reply to Senator Jackson, if I may.

The telephone records now on file with this committee discloses the following information—

Senator JACKSON. What are you reading from?

Mr. ST. CLAIR. Senator, I am reading from my copy of the telephone records that have been already marked in evidence.

Senator MUNDT. They were subpoenaed and entered in the sworn testimony some time ago.

Senator JACKSON. What record of phone calls are you reading from, Mr. St. Clair?

Senator MUNDT. The Chesapeake & Potomac, I suppose, is it not? Or the New York firm?

Mr. ST. CLAIR. Just a moment until I can find it.

There is quite a lengthy group here. These are whatever the company is that covers Washington, D. C.

Senator MUNDT. Chesapeake & Potomac.

Mr. ST. CLAIR. On October 19, 1953 Mr. Schine—I must take that back; the New York company called from New York to a man by the name of Stevens at Liberty 5-6700 in Washington, D. C., at 1:37 p. m.

Senator JACKSON. Where did he call from?

Mr. ST. CLAIR. New York, sir.

Senator JACKSON. Where in New York, does it show?

Mr. ST. CLAIR. I am not familiar enough with these. I think it does not show.

I would like to ask the witness if he knows whether on the following day, October 20, Secretary Stevens was out of the office and in fact at Fort Monmouth?

Mr. LUCAS. Yes, sir.

Mr. ST. CLAIR. And returned to his office then the next day, on the 21st of October?

Mr. LUCAS. Yes, sir.

Mr. ST. CLAIR. That is the day he placed this call to Mr. Schine that we are now discussing.

Mr. LUCAS. Yes, sir.

Senator MUNDT. Any other questions by Mr. St. Clair or Mr. Welch?

Mr. St. Clair, any more?

Mr. ST. CLAIR. No, thank you Mr. Chairman.

Senator MUNDT. Very well, Mr. Cohn, Mr. Schine, or Senator McCarthy; 1 of the 3.

Mr. COHN. Now, let me see. Mr. Lucas, you heard the testimony, or you are familiar with the testimony which Mr. Stevens gave here as follows, sworn testimony:

David Schine called me up on the 21st of October.

Are you familiar with that? It is on page 248 of the record here:

David Schine called me up on the 21st of October.

That is what I am interested in.

Mr. LUCAS. Am I familiar with it?

Mr. COHN. Yes, sir.

Mr. LUCAS. What do you mean?

Mr. COHN. Well, Mr. Stevens—I am telling you, sir, that Mr. Stevens gave under oath testimony in this room on April 23, that David Schine called, “Me up on the 21st of October.”

Mr. LUCAS. I haven’t read all of the testimony.

Mr. COHN. Will you take my word for that?

Mr. LUCAS. Yes, sir, you are reading from the transcript.

Mr. COHN. “David Schine,” that is what I am interested in, “called me up on the 21st of October.” Now, I am not interested in a call on the 19th of October, nor anything else. I know about a call on the 19th, and I know about other calls, but what I am interested in, Mr. Lucas, and let me make this clear, is who initiated the call on the 21st, and who wanted to talk for whom? That is the issue here. Now, did Mr. Stevens telephone—I am sorry—did David Schine call up Mr. Stevens on the 21st of October?

Mr. LUCAS. No, sir.

Mr. COHN. He did not?

Mr. LUCAS. No, sir.

Mr. COHN. Did Mr. Stevens call Mr. Schine on the 21st of October?

Mr. LUCAS. Yes, sir.

Mr. COHN. And did Mr. Stevens say to Mr. Schine,

I would rather have talked with you in person than to have called on the phone.

Mr. LUCAS. Yes, sir.

Mr. COHN. Did he go on to say,

but since I didn’t get to you in person, and I am about to leave on a quick trip to California, I wanted to call you and tell you,

is that right?

Mr. LUCAS. Yes, sir.

Mr. COHN. Well, now, what does that sound like to you, does that sound like Mr. Stevens is calling Mr. Schine, or that Mr. Schine is calling Mr. Stevens?

Mr. LUCAS. Like Mr. Stevens is calling Mr. Schine.

Mr. COHN. That is the way it sounds to me, sir.

Senator MUNDT. Any other questions?

Private SCHINE. I have no questions, sir.

Senator MUNDT. I guess we are through with that particular run-down, or do we want read into the record the phone calls of Mr. Cohn?

Mr. COHN. I would like Mr. Jenkins to read my calls into the record.

Senator MUNDT. Which of you monitors took down the call with Mr. Cohn?

Mr. LUCAS. I believe that I did, sir.

Mr. JENKINS. Mr. Lucas, I will ask you to state whether or not you monitored a number of telephone calls passing between Mr. Cohn and the Secretary of the Army?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Do you know how many?

Mr. LUCAS. I believe it is 7, sir.

Senator MUNDT. May the Chair say that Private Schine, you are dismissed from the committee table now and you may go back to the Army or wherever you are on duty.

Senator JACKSON. Before he leaves, I am just curious, I thought the Army counsel was going to ask a question, and did Mr. Schine call on the 19th?

Mr. COHN. There is no doubt about it, Mr. Schine did, and I called, and we were making arrangements to go to Monmouth on the 20th.

Senator JACKSON. It had nothing to do with this?

Mr. COHN. Absolutely.

Private SCHINE. Just for the sake of clarifying the record, Senator Jackson, if Mr. Stevens were returning a call of mine, he would have asked me what I had called him about. This phone call that has been read into the record today clearly shows that, I think, Mr. Stevens did most of the talking, and that I did most of the listening, sir.

Senator JACKSON. Did you see him on the 20th?

Private SCHINE. I did not, sir. That is explained in the conversation.

Senator JACKSON. Well, I merely asked the question, and there is an unreturned call, as I understand, a record here, on the 19th, and I understood Mr. Lucas originally to say the call had not been returned, and had been 2 days later that a call was initiated then by Mr. Stevens, at least that would indicate that. But you say you called on the 19th about an entirely different matter, but he did not return that call on the 19th, did he?

Private SCHINE. On the 19th arrangements were being made for a trip to Fort Monmouth, and that is an entirely different matter, sir. The trip to Fort Monmouth took place on the 20th, and as it happens I didn't get to fly down because the pilot called me and told me that the weather would not permit us to fly. On the 21st, Secretary Stevens called me as is indicated in this conversation, and told me that he was sorry that he did not have the opportunity to see me at Fort Monmouth, and that therefore he had to call me on the telephone. This was an entirely different matter, sir.

Senator JACKSON. I think that is what we ought to know. I just wanted to have that clarified.

Senator MUNDT. You may step down, and return to your duties.

Mr. JENKINS. Before he goes, we have a record of a telephone call from Mr. Schine to the Secretary on the 19th of October, and our records indicate that at that time you talked to Colonel BeLieu and apparently the call was completed.

Private SCHINE. I believe the call was completed concerning plane arrangements to Fort Monmouth, sir.

Mr. JENKINS. That record has been introduced in the record, Mr. Chairman.

Mr. COHN. I would say the record now stands very clear, that the call of the 19th was made, and it was completed, and this was an entirely different matter, and there was a new call initiated by Mr. Stevens on the 21st, and we have Mr. Stevens' sworn testimony and we have a contradiction from the call and it will be up to the committee to make the determination.

Senator JACKSON. What you are saying is that the call was not completed to Stevens, but it was completed to someone in his office, Colonel BeLieu, I believe.

Mr. COHN. And I am saying the purpose of that business was transacted on the 19th and 20th and there was no pending business and that a new call on a different matter was initiated by Mr. Stevens who says in the course of the call, "I am calling you, I wanted to call you and I wanted to tell you, such and such."

I think without taking any more time—

Senator POTTER. If the gentleman will yield, the call on the 19th was to make arrangements for the hearing at Fort Monmouth, and was that the purpose of the call?

Mr. COHN. Yes, sir; it was.

Senator MUNDT. Are we all satisfied now?

Senator POTTER. You discussed that with Colonel BeLieu?

Mr. COHN. Yes; and I talked to Mr. Adams, and there were a lot of calls.

Senator MUNDT. Can we put on down these facts—and I don't think there is too much difference which way it goes—but so we understand it.

Mr. ST. CLAIR. I think this, and perhaps it is a little inappropriate for counsel to argue a case in the middle of it or even for a participant, but I would suggest that the Army be allowed to file with it its record made at the time which would indicate that the witness or the participant, now Private Schine, asked that the Secretary call him back. We will do that this afternoon.

Mr. COHN. Any record they want is in, sir; I don't care.

Senator MUNDT. Very well. If there are no further questions about Private Schine, the Chair would like to dismiss him, subject to being recalled again when it is necessary.

Mr. JENKINS. Mr. Lucas, what is the date of your first monitored call between Mr. Cohn and the Secretary of the Army?

Mr. LUCAS. September 23, 1953.

Mr. JENKINS. Did you take the shorthand notes of that call?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. And have you transcribed those notes to type?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Do you have a copy of your transcription before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Is it correct or substantially so?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Mr. Cohn, do I understand that you desire that I read these?

Mr. COHN. I would very much appreciate that you do, and I have not had in the course of my calls and particularly Mr. Carr's, there are certain names mentioned that come in two categories, one of those of suspected Communists in the Army, and I have suggested that those names be not read publicly, and the second thing is I think in my calls there are two references to a mutual personal friend of Mr. Stevens and myself, similar to the thing in Senator McCarthy's call, and I have asked if there is no objection from anyone that that not be read either, and I would be very happy to have you show all of those things to the committee and let them decide.

Mr. JENKINS. And I understand you have made proper designations on the copies you have delivered to me, Mr. Cohn, and before reading those names, they will be submitted to the members of the committee.

Mr. COHN. Surely.

Mr. JENKINS. Mr. Lucas, I will ask you to follow me, please, now, and after I have concluded reading each call, you may state whether or not I have correctly read it. That is for the purpose of the record.

23 September 1954 (Wednesday)—Roy Cohn phoned S/A from New York at 12:29:

STEVENS. Are you working in New York now?

COHN. Yes, we have got to hold a hearing here today.

STEVENS. When will you be back?

COHN. I don't think we will be back until over the week-end. We have something like a heavy-weight championship

COHN. What are we going to do with General Partridge?

STEVENS. I don't know, Roy. You are going to have him up there on Monday, of course.

COHN. That is up to you.

STEVENS. I think it would be unwise, Roy, for me to ask you not to do that.

COHN. You don't have to ask me.

STEVENS. I think it is a hell of a nice thing.

COHN. You just give me an indication because maybe the thing has ramifications; and he is the head of G-2, and maybe he won't be doing much if we make the head of G-2 look awfully silly.

STEVENS. You won't be gaining much from our standpoint to make the G-2 look awful silly. On the other hand, I don't like to say to you, "Please don't call a fellow." I think you had better call him up there and handle it as you think best, but don't let's have too much of a spectacle.

COHN. I am afraid once he gets up there, there will not be too much of a way to stop the thing, you see. You know once—You might want a nice gentle fight, but once you get in the ring and start taking a couple of pokes, it gets under your skin.

STEVENS. How do you feel about it, yourself?

COHN. I think it would be a lot of fun. You know I am an old big-game hunter; but on the other hand, I can see why that would not be a good idea from the standpoint of over there and if we can do a good job. On the other hand, we have a lot of witnesses, and maybe we just won't reach him. You have done as much as you can. Let me know as late as Monday morning.

STEVENS. How can I call you?

Mr. COHN. In reading the phone numbers, one is my office number and I don't mind that. I would appreciate it if you don't read my home phone because I will start getting calls.

Mr. JENKINS. We won't read either one, we will delete both of them. Cohn gives two phone numbers. Apparently they are your office and residence, Mr. Cohn, is that correct?

Mr. COHN. Yes.

Mr. JENKINS (continuing):

STEVENS. That will be over the next 2 or 3 days?

COHN. Right. You just let me know. Everything else all right?

STEVENS. OK.

Have I correctly read it?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of the next monitored telephone call between Mr. Cohn and the Secretary of the Army, Mr. Lucas?

Mr. LUCAS. September 25, 1953.

Mr. JENKINS. Is that substantially correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Your monitoring of that call and your transcription—are they correct, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you follow me as I read it, please? Are you ready?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

25 September 1953 (Friday). 9:25 S/A tried to phone Roy Cohn. At 9:37 Roy Cohn called back S/A:

STEVENS. Are you keeping busy?

COHN. Yes. We had your friend call us.

STEVENS. He said he stayed away from the Fifth Amendment.

COHN. We are getting a contempt citation against him. Then Budenz was in, and he named Lamont and some of these books (?) and their Communist Party activities. Then we got Harriet Moore who had written that . . . and she got a postponement until Monday; and she is a Fifth-Amendment case. There is a new situation involving a part of your thing that I will tell you about when I see you that looks pretty bad. I know they are trying to cover up so you won't even know about it.

STEVENS. Is it something I ought to act on before you get back?

COHN. I don't think so. They are trying to do a coverup job on something.

STEVENS. That I am not interested in. I want to uncover anything and everything. What about Monday, Roy?

COHN. We have got Petrov, Bogolepov (?), Budenz, this Harriet Moore; so that is four to start out with; and I have a lot of witnesses, and then that other fellow we have been talking about with a question mark.

STEVENS. I think Partridge ought to come up there. I may, with your permission, let one or two people come along with him; and I just think they had better come up there and sit there; and if you reach him, you reach him and go ahead with him; and if not, I will play it any way you want.

COHN. What do you think on this thing, on the question of reaching him or not?

STEVENS. As I told you, I just don't know. I think probably you are a better judge than I am.

COHN. The only things that worry me are two things: I don't know whether it is going to make us look too bad, look foolish. You expect to see a great brain, the head of something like that; and, two, I don't know if there is something there, if that is going in anyway to interfere with any of your plans.

STEVENS. It could, Roy, but I don't want to—

COHN. Look, the point is this: if we don't call him, that is just a little something in the common good. It is not a matter of life and death to us.

STEVENS. I think that might be the best, and, of course, until there is a change made, which I am looking for the opportunity to make—I can tell you that off the record—he will be here, and you can have him any time you want him; and maybe on that basis, it is just as well not to.

COHN. Let's think about that.

STEVENS. You think about it and decide what you want to do, and he will be here and ready to come.

COHN. Let him stay over there; and if we want him, we will call him to come over.

STEVENS. And he will come in on 5-minute notice any time you want him in, Monday or any other day.

COHN. Let's leave it that way.

STEVENS. On this other thing, if you dig up something new, I'll see you, Monday.

Did I or did I not read that correctly, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of the next monitored call between Mr. Cohn and Mr. Stevens? Do you have a call from Mr. Cohn to Colonel BeLieu?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. At which time Mr. Cohn likewise spoke to Mr. Stevens?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What is the date of that?

Mr. LUCAS. 28 September 1953.

Mr. JENKINS. Did you monitor that?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Have you transcribed it?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Correctly?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Do you have a copy of it before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you follow me, Mr. Lucas, please?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

28 September 1953, Roy Cohn phoned Col. BeLieu and then spoke to Sec. Stevens.

COHN. Who is playing tricks on us?

STEVENS. I don't know whether anybody actually sent over word for him to come.

COHN. It was our understanding that he would not come.

STEVENS. But when Joe made that speech - -

two dashes—

I read that speech.

COHN. When we have an arrangement, I will stick by it no matter what Joe says or anybody says. And our understanding was that he would not be called. Now the guy walks right in, in the front witness row, surrounded by (news?) men.

Some question about their being newsmen, apparently.

STEVENS. I was under the impression from what Joe said in the paper that he probably wanted him over there. This, I have not been able to run down, as to whether he received advice from somebody on the staff to come.

COHN. I would like to know about it.

STEVENS. I am in the process of running that down.

COHN. I had persuaded them here not to call him. I think it would be catastrophic to call this guy.

STEVENS. Shall I yank him out of there?

COHN. No. We will work out something. I had to poll all the Senators and they had all agreed we would not call him. And then the guy marches in and sits in the front row. We will have a quick adjournment to have a rehearsal for the wedding or something.

STEVENS. I am awful sorry about this because the way you have played with me has been 100%, and my system of working is the same as yours.

COHN. It might very well be the fault of someone over here. We won't call him.

STEVENS. I can't tell you how much I appreciate that.

COHN. And when you see him, tell him not to get such a flare for the limelight.

STEVENS. Will do.

Did I read that correctly?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. What, Mr. Lucas, is the date of the next monitored call passing between Mr. Cohn and the Secretary of the Army?

Mr. LUCAS. 28 September 1954.

Mr. JENKINS. Is that the same date—

Mr. LUCAS. Yes, sir.

Mr. JENKINS. As the one I have just read?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. This is the second call, as I understand it, of September 28, which was monitored by you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Was it monitored correctly?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. And transcribed correctly?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Do you have your notes before you?

Mr. LUCAS. A copy of the transcript.

Mr. JENKINS. A copy of your transcription?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you follow your transcription?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

28 September 1953, 2:30 Sec. Stevens phoned for Roy Cohn.
2:54—Roy Cohn returned Sec. Stevens' call.

We have first, before any conversation, five dots. Is that correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading) :

STEVENS. You were completely correct, and I muffed the ball.

COHN. Don't forget we can get any witnesses for Sen. Potter. Before he leaves for Honolulu figure who he can call in for executive session in Washington on the atrocity situation in Korea.

STEVENS. I wrote the Senator at his home. I sent him a letter of introduction to my friend in Honolulu who has a newspaper and is a great guy. I told him when he got to Frisco to call General Swing and General Swing would have a complete list for him, both on Korean and Hawaiian

Five dots, right?

Mr. LUCAS. Yes, sir.

Mr. COHN. I think the word was "witnesses."

Mr. JENKINS. I thought perhaps it contained telephone numbers.

COHN. Is there anyone in your shop who has an idea of the overall overall situation--

Two dashes?

Mr. LUCAS. Right.

Mr. JENKINS (reading) :

if we could get somebody to come into executive session in Washington with Potter presiding on the atrocity business? General information, and give him the background.

STEVENS. Roy, it took me a minute to get on the wire. I came in the back room. And guess who I have sitting in my office,

Mr. Chairman at that point a name is given.

Senator MUNDT. Pass it to the committee members.

Mr. JENKINS. I will ask you to do so.

Mr. Cohn requests that the name not be made public. Frankly, I see no purpose to be served by making the name public.

Senator MUNDT. Senators at my left say it is all right to leave the name out. What do the other Senators say?

It is a name that has nothing whatsoever to do with this controversy.

Mr. JENKINS. I will leave it out. We are omitting that name, Mr. Lucas. [Reading:]

We just started a few minutes ago, and we are having a very interesting conversation.

COHN. You are coming to the wedding tomorrow?

STEVENS. I am probably.

COHN. What time are you going to arrive?

STEVENS. About 10:45.

COHN. That is fine. We will have somebody look out for you.

Was that read correctly, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. When is the next conversation between Mr. Cohn and the Secretary monitored by you?

Mr. LUCAS. September 30, 1953.

Mr. JENKINS. Do you have your transcription before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Is it correct?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you follow me as I read it, Mr. Lucas?
[Reading:]

30 September 1953—11:11 a. m., Roy Cohn phoned Sec. Stevens from New York:

And the initials "RC" mean "Roy Cohn"?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. And S/A means "Secretary of the Army"?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

RC. Two things: Number 1, that thing I told you about, I will probably be ready to tell you about in a day or so. It is a pretty big situation. I will check the final word on it tonight.

SA. Are you going to be in New York, or will you be back here?

RC. I had a talk with Joe about it, and a couple of other senators, and we talked back and forth, and I wanted to talk to about it again. What are your plans? Will you be in New York?

SA. No, I don't plan to. I have got a pretty full schedule right here.

RC. For the next couple of weeks you will probably be down there?

SA. I expect to be possible a day out of town on a quick trip to some installation. Are you going to be down?

RC. I will have to come down anyway.

SA. I will be here at least thru Saturday noon.

RC. Is Friday a good day? Why don't I call you tomorrow and make an appointment for Friday. You see, tonight this other thing should crystallize, and I possibly should get an accumulation of things to talk to you about.

SA. On Friday I am going to be at Cabinet, and I have all of Friday afternoon.

And there are—eight dots. Is that correct?

Mr. LUCAS. Yes, sir; five dots.

Mr. JENKINS. Did I understand you to say five dots?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Then this sentence:

Made appointment for 2:30 Friday afternoon (2 October) here.

With the exception of our differences with respect to the number of dots, have I correctly read it?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. I am going to pass it to the members of this subcommittee, and we are going to find out who has the better eyesight, Mr. Lucas, you or I. I say there are 8, and you say 5. Somebody is honestly mistaken.

Mr. Lucas, with the exception, I believe I asked you, I am not sure, but I want to get it technically correct in the record, did I correctly read that statement?

Mr. LUCAS. Yes, sir.

Senator JACKSON. I confirm eight dots.

Mr. JENKINS. A younger man as far as you are as far as eyesight is concerned.

Senator POTTER. Why don't you compromise with 6½ dots?

Senator MCCARTHY. I think there are seven.

Senator MUNDT. We will proceed and we have time for one more transcript.

Mr. JENKINS. I suggest this is not the subject of another hassle.

Mr. Lucas, did you or not monitor a telephone call passing between Mr. Cohn and the Secretary of the Army, dated October 1, 1953?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Did you correctly monitor it and transcribe it?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Do you have your transcription before you?

Mr. LUCAS. Yes, sir.

Mr. JENKINS. Will you follow me as I read my copy, Mr. Lucas, please?

Mr. LUCAS. Yes, sir.

Mr. JENKINS (reading):

1 October 1953, 5:02 p. m., Roy Cohn phoned Sec. Stevens from New York:

COHN. On tomorrow we had an appointment at 2:30. Would you be free any earlier than that? How about lunch?

STEVENS. Luncheon—I am sorry I can't do it. I've got Harold Talbott and the Chief of Engineers, and it is pretty hard to get—

this is not clear—

some of these fellows together. I could do it in the morning.

COHN. What time in the morning?

STEVENS.

Six dots.

as an Acting Secretary of Defense - -

Two dashes—

Mr. Wilson and Mr. Kyes being out of town - -

I am sure I would be back in the office by 11:00.

COHN. Let's leave it at 2:30.

STEVENS. The luncheon would be over by 2:30.

COHN. One more thing:

Cohn, and there is a name Mr. Cohn has asked me to delete, and has no bearing whatever upon the meaning of this, and I now pass it to the members of the subcommittee for their decision.

Mr. COHN. Right.

Senator MUNDT. Senators to the left have no objection to leaving out the name.

It will be omitted.

Mr. JENKINS. Omitting the name:

One more thing:

STEVENS. Good, bring him along.

COHN. I will come in at 2:30.

With the exception of the omission of that name was that correctly read, Mr. Lucas?

Mr. LUCAS. Yes, sir.

Senator MUNDT. The hour of 12:30 having arrived, we will adjourn and recess until 2 o'clock this afternoon.

(Whereupon, at 12:30 p. m., the committee recessed to reconvene at 2 p. m., the same day.)

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